

# "Restricted Movement" and Coordinates of Freedom: Southern Chain Gangs in Twentieth-Century American Literature and Film

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Boston College

The Graduate School of Arts and Sciences

Department of English

*“Restricted Movement” and Coordinates of Freedom: Southern Chain Gangs in  
Twentieth-Century American Literature and Film*

a dissertation

by

Gene I Gorman

submitted in partial fulfillment of the requirements

for the degree of

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## ABSTRACT OF THE DISSERTATION

*“Restricted Movement” and Coordinates of Freedom: Southern Chain Gangs in  
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Doctor of Philosophy in English

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Professor Christopher P. Wilson, Chair

For more than a century, the chain gang has been glamorized, criticized, abhorred, and often explained away as an economic necessity or natural byproduct of historical circumstances. After Emancipation, this centuries-old approach to punishing criminals offered an immediate palliative for southern plantation owners in need of field hands, northern coal and steel interests and railroad tycoons in search of blasters and miners, and eventually government officials who identified the South’s antiquated infrastructure as its greatest barrier to integration into a regional and national economy. Heavily influenced by Hollywood, the blues, oral histories and folkways, archived photographs, and literary representations, many people now view the chain gang as a relic of a bygone era of southern prejudice and brutality. After all, history does not cast the men and women who

served on chain gangs as heroic workers and, if they are acknowledged at all, they are only occasionally figured as victims of the political, social, and economic forces that led to their convictions and servitude. And yet, paradoxically, labor historians and others have argued convincingly that the chain gang, even with all its warts and abuses, actually made southern economic progress possible.

Entering this still-vibrant, contested territory, *“Restricted Movement” and Coordinates of Freedom* focuses on depictions of chain gangs in selected literary works and films from 1901 to 2000, including Charles W. Chesnutt’s *The Marrow of Tradition* (1901) and *All the King’s Men* (1946) by Robert Penn Warren and the films *I Am a Fugitive from a Chain Gang* (1932), *Sullivan’s Travels* (1941), *The Defiant Ones* (1958), and *O Brother, Where Art Thou?* (2000). This dissertation attempts to make sense of a multitude of historical and social conditions that bear specifically on chain gangs and convict labor, including black criminality, white supremacy, the Good Roads Movement, race-based electoral politics, and industrialization. In addition to exploring these vexed arguments about servitude and progress, this dissertation also explores how the chain gang, real and imagined, serves as its own special form of segregation. Beginning with the work of Edward L. Ayers, Alex Lichtenstein, Matthew Mancini, and others in the 1980s and 1990s, a handful of southern and labor historians broadened the study of postbellum race, crime, and punishment to consider whether convict-leasing programs and chain gangs in the late nineteenth and early twentieth centuries really did result in a form of “neo-slavery.” In other words, these historians asked, did these practices actually “re-enslave” African Americans in the American South between 1865 and 1940? And if so, what were the social, political and cultural implications of this re-enslavement? How

did these practices shape the experience and consciousness of both blacks and southern whites? Moreover, in a culture that speaks so often of slavery's terrible legacies, how might a deeper understanding of convict leasing and chain gangs offer its own particular lessons about race, history, and justice in the United States since the Civil War? My hope is that the methods and approaches laid out in this dissertation will invite other scholars to grapple with the ways in which chain gang history and cultural history inform one another.

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## Acknowledgements

About a month after I began working toward my doctorate at Boston College, I ran my first marathon. Few avocations could have provided me with more lessons to draw on for this vocation. As one example, there is the story of seven-time Tour de France cycling champion Lance Armstrong's first New York City Marathon in 2006. For that race, Armstrong enlisted a group of "all-star pacers" —former marathon champions Alberto Salazar and Joan Benoit Samuelson as well as Olympic 1,000- and 5,000-meter gold medalist Hicham El Guerrouj from Morocco. In a similar way, I have had a dream team of pacers to guide me through this dissertation—Chris Wilson, Carlo Rotella, and Tina Klein. Chris, in particular, warrants specific mention here. As all runners—and cyclists and NASCAR drivers and fans know, one of the main tricks of successful racing is "drafting"—a slang term for the aerodynamic effect created when one runner or car or bicycle tucks up closely behind another and allows the front runner to cut a clean path through the air so that the two together move faster than one would otherwise on his own. The runner in the second position tends to benefit most from the arrangement as he confronts less resistance so he can run with greater ease.

Of course, I am not suggesting that running with Chris Wilson is without its appropriate share of struggle and exhaustion. The drafting runner still has to keep pace. And after all, in the parlance of running, Chris could have "dropped" me at any time. But he did not. In fact, what Chris has done during these past few years, first as my advisor and then as director of this thesis, has demonstrated a degree of patience and generosity that I can only hope to replicate for my own students and colleagues. You see, even as Chris kept running on ahead, he never rounded a corner out of sight or left me in the dust. And as this



ephemeral finish line appears, Chris is doing what too few incredibly gifted people like him have the confidence and grace to do. He is stepping to the side at the last possible moment and allowing me to breast the tape and claim the prize. For this gift and his guidance, I will be forever in his debt.

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## Introduction

*“Restricted Movement” and Coordinates of Freedom: Southern Chain Gangs in Twentieth-Century American Literature and Film*

*Interviewer: You raised on a farm?*

*Convict: Yes. County farm.*

— “How I Got in the Penitentiary,” *The Alan Lomax Collection: Prison Songs, Vol. 1* —  
*Murderous Home*

In the middle of a normally busy street in Birmingham, Alabama, two white men in hats and boots stand casually peering in opposite directions.<sup>1</sup> Billboards and brick edifices advertise Carnation Milk, Wrigley’s Spearmint gum, and East Lake Park, suggesting a teeming commercial thoroughfare (see fig. 1). Three tiers of wires on utility poles testify to the American South’s then-ongoing project of modernization. The two men—secondary subjects of a black-and-white photograph “Street Workers with Guards” from 1909—“color in” part of the image of southern progressivism.<sup>2</sup> But their contribution seems to involve considerably less physical effort and personal sacrifice than the small group of men working under their semi-watchful eyes. Side-by-side, frozen in time but likely sweating in the Alabama sun, a dozen black men chained at the ankle hold pickaxes aloft, seeming to synchronize their downward swings as they work off their prison and jail sentences tearing the road beneath them to bits. This roadbed, like the histories of the men laboring to improve it, will eventually be smoothed over. It goes without saying that these disproportionately black convicts have had few counties named after them or bronze statues erected in their honor. And as a result, only in the grainy details of a photograph like this can we discern the record of their contribution to Birmingham’s viability and the

region's progress.



Fig. 1: Street Workers with Guards, 1909 (Property of Birmingham Public Library)

For more than a century, the chain gang has been glamorized, criticized, abhorred, and often explained away as an economic necessity or natural byproduct of historical circumstances. After Emancipation, this centuries-old approach to punishing criminals offered an immediate palliative for southern plantation owners in need of field hands, northern coal and steel interests and railroad tycoons in search of blasters and miners, and eventually government officials who identified the South's antiquated infrastructure as its greatest barrier to integration into a regional and national economy. Heavily influenced by Hollywood, the blues, oral histories and folkways, archived photographs, and literary representations, many people now view the chain gang as a relic of a bygone era of southern prejudice and brutality. After all, history does not cast the men and women who served on chain gangs as heroic workers and, if they are acknowledged at all, they are only occasionally figured as victims of the political, social, and economic forces that led

to their convictions and servitude. And yet, paradoxically, labor historians and others have argued convincingly that the chain gang, even with all its warts and abuses, actually made southern economic progress possible.

Entering this still-vibrant, contested territory, “*Restricted Movement*” and *Coordinates of Freedom* focuses on depictions of chain gangs in selected literary works and films from 1901 to 2000. Like the two white men in the 1909 Birmingham photograph who are looking in opposite directions, this dissertation attempts to make sense of a multitude of historical and social conditions that bear specifically on chain gangs and convict labor, including black criminality, white supremacy, the Good Roads Movement, race-based electoral politics, and industrialization. In addition to exploring these vexed arguments about servitude and progress, this dissertation also explores how the chain gang, real and imagined, serves as its own special form of segregation. That is, I suggest two different, though complementary lenses through which to view convict labor. Following Bryan Wagner’s work on Charles W. Chesnutt’s novel *The Marrow of Tradition* (1901) regarding the threat posed by the visibility of political gains by blacks in the fictional port city of Wellington—the literary antecedent for the real city of Wilmington, North Carolina—I argue that as African Americans become socially, economically, and politically mobile during this period, their noticeable and notable presence naturally upset white southerners.<sup>3</sup> In other words, blacks become seen or visible for the first time in American history in new and immediately threatening ways. But then, chain gangs restrict black mobility and take them out of play, so to speak, removing blacks from these visual fields and rendering them—like Ralph Ellison’s *Invisible Man* protagonist—seemingly or metaphorically invisible instead. The second part of this argument thus will be juxtaposed against other forms of racial

violence and oppression that more often involve spectacle: lynching, Klan rallies, massacres, putative “race riots,” and the presence of Jim Crow signs to regulate segregation.

Ultimately, even more infamously, the faded newspapers and photographs of the turn of the century offer images of mobs of white men—some stoic and others smiling—standing over the lynched and burnt bodies of black men.<sup>4</sup> Violence erupted again in the 1950s, 1960s, and 1970s over issues such as school integration, and the fire hoses and fierce dogs of Birmingham Public Safety Commissioner Eugene “Bull” Connor and other southerners have become iconic reminders of the Civil Rights Era. At the same moment these horrific events occurred, the chain gang signified a different material practice and framing. Whether involving complete physical removal to backwoods or far-away labor camps and undeveloped road and rail beds, or in urban settings such as Birmingham, Alabama; Charlotte, North Carolina; and Atlanta, Georgia, these chain gangs become so normalized in the New South that they seem to re-insitute some of the visual trappings and conditions of slavery. And the convicts on them effectively blend into the southern landscape, thus becoming “invisible” as a threat to the political and social way of southern life.

This re-creation of the slave system was quite real. Frederick Douglass wrote in his autobiography that a black person after Emancipation was “free from the individual master but the slave of society. He had neither money, property, nor friends. He was free from the old plantation, but he had nothing but the dusty road under his feet.”<sup>5</sup> Douglass suggests that the road signals possession and mobility, while immediately implying a limited sense of it. But there proved to be a certain irony in Douglass’s claim, since the picture of these men on an Alabama chain gang shows us that the once-dusty roads beneath black feet soon became, under the umbrella of the Good Roads Movement, yet another site for the exploitation of labor at minimal,

cost with little hope for meaningful and lasting freedom or genuine mobility. Likewise—or really, in tandem—throughout the twentieth century, southern whites used criminal codes and court rulings to confront the “Negro problem”—the influx of former slaves and their descendants into free society—often by circumscribing that selfsame movement.

Of course, historians have, for some time now, been investigating this terrifying and complicated byplay between visible mobility and invisible exploitation. Beginning with the work of Edward L. Ayers, Alex Lichtenstein, Matthew Mancini, and others in the 1980s and 1990s, a handful of southern and labor historians broadened the study of postbellum race, crime, and punishment to consider whether convict-leasing programs and chain gangs in the late nineteenth and early twentieth centuries really did result in a form of “neo-slavery.”<sup>6</sup> In other words, these historians asked, did these practices actually “re-enslave” African Americans in the American South between 1865 and 1940? And if so, what were the social, political and cultural implications of this re-enslavement? How did these practices shape the experience and consciousness of both blacks and southern whites? Moreover, in a culture that speaks so often of slavery’s terrible legacies, how might a deeper understanding of convict leasing and chain gangs offer its own particular set of lessons about race, history, and justice in the United States since the Civil War? The best-known and most recent formulation of this case—or, at least, the account receiving the most public attention—would come in 2009, when Douglas Blackmon, the *Wall Street Journal*’s Atlanta Bureau chief, won the Pulitzer Prize for general nonfiction for *Slavery by Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II*.<sup>7</sup> Blackmon’s book explores a supposedly “forgotten” history about involuntary servitude and Negro Law—criminal codes resulting from wording in the beginning of the 13<sup>th</sup> Amendment that had the effect of providing free, disposable labor after the Civil War to plantation owners,



railroad tycoons, and other businessmen in the Deep South and throughout the nation.<sup>8</sup>

Blackmon's book was recently adapted for a PBS documentary that debuted in February 2012.<sup>9</sup>

In that documentary, while promoting it, and in interviews about his book, Blackmon seized upon the earlier work of historian David Oshinsky and others. In his study of Mississippi's state penitentiary Parchman Farm—which is implicitly or explicitly cited in literature and film—Oshinsky described these circumstances as “worse than slavery,” and Blackmon and PBS have taken up this same rhetorical stance.

Blackmon's book certainly offers a fascinating and fresh reading, drawing attention to important issues related to labor, criminality, and race for an emerging mainstream audience interested in the historical roots of these complicated concepts that have contemporary resonances. But in many ways *Slavery by Another Name* is simply a journalistic and popular press repackaging of the work of the historians referenced above. These historians have produced a rich canon about southern chain gangs in recent decades, but all of their work has still left room for the kind of cultural study that this dissertation provides. In fact, convict labor and chain gangs have been an integral part of American history for the better part of a century and have received serious attention for more than a decade. In particular, black Americans for whom this history has been felt at the most basic level have been handing down stories about chain gangs within their families and communities for generations. In addition, at least one historian—Matthew Mancini—objects to Blackmon's argument that convict labor in the early twentieth century “re-enslaved” African Americans, a characterization that has led to the use of the term “neo-slavery.” Mancini argues that the differences between chattel slavery and peonage or convict labor are far too stark to consider the latter some kind of continuation or replacement of the former. For example, enslaved African Americans were *de facto* property and not human. Whereas, convicts

were human beings whose inhumane treatment and forfeiture of freedom becomes even more acute in light of this reclassification.

And in ways especially germane to this dissertation, *Slavery by Another Name* also leaves out the significant cultural context for the historical content it lays out—an omission that allows Blackmon to refer to these events and practices as a forgotten history when, for instance, Hollywood has been making use of the chain gang on an ongoing basis since the early 1930s and musicians as diverse as imprisoned blues singer Lead Belly, 1960s R&B sensation Sam Cooke, and 1980s pop group The Pretenders. The list of chain gang films—both those that originate a particular plot constructed around chain gang sentencing or an escape from the chain gang as well as cross-references to these films—is numerous. As recently as 2011, in its revivalist *The Looney Tunes Show*, Bugs Bunny and Daffy Duck spoof *The Defiant Ones* (1958), which is the subject of the third chapter of this dissertation. And going back to 1930, when the iconic Mickey Mouse starred in “The Chain Gang,” images of chain gangs have been aggregating in the American imagination and among its most creative artists. Of course, merely enumerating these references does not make for particularly useful scholarship. Consequently, what I intend to do in this dissertation is to isolate certain texts and demonstrate how each one offers a specific message both about the longer history of chain gangs and about the individual historic moments that these texts appear to use to demonstrate how artists or, more precisely, filmmakers and writers have deployed the chain gang to fulfill their creative efforts. My hope is that the methods and approaches laid out in the following pages will invite other scholars to grapple with the ways in which chain gang history and cultural history inform one another.

To redress the absence of this kind of scholarship, “*Restricted Movement*” and *Coordinates of Freedom* provides the first study of how representations of chain gangs can

inform historical and cultural discussions about convict labor's impact on southern progress—social, economic, and political—since the end of the Civil War. This dissertation examines American literature and film throughout the twentieth century but focuses especially on depictions and accounts of convict labor practices between 1890 and 1940. This chronology provides a window into American history and specifically the history of black Americans that allows us to review the dismantling of what limited political rights and mobility had been gained during Reconstruction and up until the beginning of World War II, when the need for a sense of national unity overshadowed or at least dramatically altered the narrative of any one specific group of Americans. I focus on references to chain gangs and convict labor that appear explicitly and implicitly in canonical novels by Charles W. Chesnutt and Robert Penn Warren and five different feature films released between 1932-2000. As labor historian Alex Lichtenstein and African American studies scholar James Smethurst have suggested, studying cultural production related to chain gangs—plays, novels, memoir, film, photography, and reportage by journalists and anthropologists—can help traditional historians and other scholars better understand the enduring legacy of convict labor in America.<sup>10</sup> This study answers that call.

Or, to put it another way, this dissertation questions the need to transform, as a book like *Slavery by Another Name* does, a complicated and diverse “people” into “characters,” singled out and presented as emblematic of thousands of other men or women allegedly just like them. Simply as a starting place, “*Restricted Movement*” and *Coordinate of Freedom* asks what is wrong with using the characters and events already available in American literature and film to do this work. After all, why not devote more attention to characters such as Brother Tarp in Ralph Ellison’s *Invisible Man* (1952) or Toni Morrison’s Paul D in *Beloved* (1987) or, as

discussed in the first chapter of this dissertation, Capt. George McBane from *The Marrow of Tradition*? And why not examine the structures and forces surrounding these characters and their various relationships to convict labor and chain gangs? It turns out that this approach allows these fictional and filmic characters and their experiences to more capably comment across a broader range of convict labor issues than isolated cases that inevitably rely on sparse documentation supplemented by educational guess work. In a sense, attempts to “rescue” these individuals from the dustbin of history often can turn around and re-“characterize” them in a way that serves merely to move them from one lost or imaginary realm to another. These isolated cases are certainly interesting, important, and useful, but they need not supplant the likes of Paul D, Brother Tarp, and Capt. McBane in print and Noah Cullen, John “Joker” Jackson, and Ulysses Everett McGill on screen.

More to the point, the convict lease and chain gang system itself functions much as a literary character in these texts, a material presence given symbolic form. In other words, these practices serve as shadowy figures whose influence and backstory come into play with a force similar to any of the fleshed-out characters in these films and novels. For example, as the first two chapters of this dissertation demonstrate, convict labor can and should be read into novels about the South during this particular period. The institution functions as a specter that looms over the broader landscape of the southern settings of Chesnut’s port city of Wellington and Robert Penn Warren’s Deep South state in *All the King’s Men* (1946), which has all the geographic and political trappings of Huey P. Long’s 1920s and 1930s Louisiana. That is, convict labor history operates as a kind of shadow history for the more familiar history of southern progressivism with its trajectory of transforming the region from an Old South dominated by plantations and slavery to a New South infused by a greater sense of modernity, its

inevitability and necessity. Ultimately, the social, cultural, and racial components present in chain gangs thwarts this trajectory, and intellectuals and writers such as Chesnutt understand and fear this situation sufficiently to devote their time and energies to illuminating its ill effects in their creative work. As such, chain gang literature and chain gang films can be used to respond to several recurring, large-scale historical questions about: prisons and incarceration; the image and culture of the South; and the social, legal, and political processes that have gone into the construction of race. Among those questions, I begin with the following: what do literary and filmic depictions of chain gangs in the twentieth century suggest about the role of these practices in either bringing about or hindering southern progress in its various forms, in defining and delimiting the nature of black criminality, and, finally, in defining the particular historical moments during which a given text is produced and released to its various audiences?

In addition to these questions about the films and fiction, we might inquire about how the chain gang is a uniquely southern institution and response to crime even when the practice is transported to other regions or placed in some other context? In other words, why do we think of the South when we think of black criminality, even though numerous scholars and history itself have proven time and again that this concept and bias is a national phenomenon?<sup>11</sup> Finally, what part has the chain gang played in constructing legal, social, and even scientific definitions of race in America? In particular, this dissertation uses the chain gang—a type of line with its own set of physical or material properties—to refigure three other critical lines for understanding national divisions and boundaries: the color line, the poverty line, and the Mason-Dixon Line. As southerners struggled to define and implement their version of “progress,” many thought chain gangs were a step forward—both socially and economically. In the context of the Good Roads Movement, for example, the instituting of chain gangs responded to three historical conditions:

the perceived need to improve infrastructure in the South quickly and cheaply; mounting concerns about corruption in the convict-leasing system; and finally, a way to head off a system of rapid sentencing and mob rule that was proliferating lynching. On the other hand, this dissertation also responds to Peter Caster's conclusions that more scholars need to make the history of prisons and prisoners "central to the study of national history to account for the degree to which the former has shaped the latter," and this work provides necessary historical background and cultural context for other scholars, reformers, critics, and policymakers who want to learn lessons about the past that they can apply to current issues.<sup>12</sup>

*"Restricted Movement" and Coordinates of Freedom* also offers new readings of some familiar literary and film texts while making fresh discoveries of several long-forgotten ones worthy of consideration by American, African-American, and Southern studies scholars. It is this last phenomenon that may have contributed most heavily to the continuing construction of the South as a "backward" region. But this dissertation provides another story that needs to be told: how representations of chain gangs helped to construct a region struggling simultaneously to restore order, break with tradition, and yet resist what Robert Penn Warren calls the Great Alibi—the feeling southerners often have that they have been rendered helpless by history since the end of the Civil War.<sup>13</sup>

### **Convict Labor as a Political, Economic and Cultural Necessity**

As I will discuss in subsequent chapters, convict labor played a key role in stymieing social and racial progress in the South even as it likely propelled economic progress. I often use chain gang as a blanket term for all convict labor practices, because I believe that the chain gang

occupies the cultural imagination in this manner. In other words, the absence or presence of the chains themselves is not absolutely essential for approaching the questions outlined above. Rather, the mindset of “hard time” comes into play, and the various abuses associated with life on the chain gang proliferates the texts considered in this dissertation. Having said that, the historical record demarcates two main forms of convict labor that are time-bound: convict leasing and public works chain gangs or “road crews.” Both forms involved state power and policing, but the two are sufficiently different to warrant a loose timeline and brief parsing. In general, convict leasing was practiced in southern states from the end of the Civil War up to the first decade of the twentieth century and was intended to eliminate the need for building or rebuilding the kind of system of penitentiaries that had proliferated in the North.

After decades of abuse and even murders at the hands of convict lessees—and in conjunction with a realization on the part of several southern states that they were leasing for cheap laborers that they could be using for free to work their own prison farms, build or improve dams, bridges, and roads or deploy as they saw fit—southern and northern states stopped or severely limited the practice of leasing out their convicts and began putting these forced laborers to work for the “public good.” In essence, the economic benefit of convict leasing was accrued to white elites while all whites—rich and poor alike—maintained their social status in a rigid racial and economic hierarchy that persisted well into the twentieth century and, some would argue, continues to this day. The introduction of the automobile made the use of convict labor for roadwork and other public works appear to benefit a wider swath of society.

For more than 150 years, beginning even before the Civil War, America’s prisoners have done a great deal of the necessary “dirty work” for many of the nation’s largest corporate interests as well as the public writ large.<sup>14</sup> And as David Oshinsky points out, these arrangements

were not simply profit-driven. Convict leasing served a particular “cultural need” as well for “[i]n a region where dark skin and forced labor went hand in hand, leasing would become a functional replacement for slavery, a human bridge between the Old South and the New.”<sup>15</sup> Or, as Alex Lichtenstein states, “convict labor rests at the nexus of the key elements in the ongoing debates over the distinctiveness of the New South and the evolution of its race and class relations. Above all, convict labor made modern economic development of the South’s resources compatible with the maintenance of racial domination.”<sup>16</sup> Although we cannot necessarily uncover the interior motives of the various state legislators, governors, and business leaders who perpetuated convict leasing, we should consider the circumstances and the ideology that surrounded their various actions if we wish to have any chance at seeing how events in the nineteenth century have played out into the twentieth and twenty-first.

Before the Civil War, the American South was behind the North in prison building and maintenance; after it, that situation began to slowly reverse itself as states in the region began to make incarceration the first step in a process toward cementing black criminality and gathering up forced laborers. In 1873, for example, the superintendent of the South Carolina penitentiary found his prison in such disrepair that he opted to lease the state’s convicts because he saw no other way to feed them.<sup>17</sup> So the initial purpose of convict leasing was to relieve southern states of the responsibility of housing and taking care of their prisoners during a 50-year period following the Civil War when these states were left reeling from defeat. And as Mancini concludes, “All the major themes of the period in Southern history were clustered together within that institution: fears of a labor shortage, racism, the dearth of capital, hair-trigger violence, the courageous efforts of humane reformers, and, through it all, the struggle to modernize.”<sup>18</sup> At times in the late nineteenth century and more frequently in the early twentieth,



criminalized blacks in the South were subjected to what William Cohen calls “vagrancy roundups,” sometimes “for the sole purpose of securing labor.”<sup>19</sup> Often, blacks arrested for minor crimes were released into the custody of a person who paid their court costs and fines and was then free to use the convict as he pleased with the constant threat of the chain gang and a return to incarceration hanging over the convicted.

While these forces and machinations were taking their toll on generations of blacks and effectively “keeping them in their place,” poor whites were struggling against boom-and-bust cycles in agriculture and industry and only able to take some small consolation in the fact that no matter how downtrodden their conditions made them, they were at least not black.<sup>20</sup> Indeed, years before Charles Chesnutt explored the subject of convict leasing in his fiction and essays, George Washington Cable and Frederick Douglass were already discussing the abuses and injustice of this system.<sup>21</sup> Shortly after Chesnutt’s poorly received early twentieth century novels, W.E.B. DuBois included the convict lease system twinned with lynch law in his discussion of the overall deleterious condition of blacks in America. DuBois noted that the system had supposedly collapsed nationally in the face of protest in 1890 but survived over wide areas particularly in the South into the 1910s.

Decades later in 1932, American popular culture intervened in the history of convict labor and chain gangs and created a mainstream white audience for these practices that had previously been limited to a handful of reformers and writers. Just as sensational trials and criminal cases had laid the foundation for fictionalized and creatively molded nonfiction works and films, the arrest, escape, and extradition case of Robert E. Burns—a drifter who wound up on a Georgia chain gang after being convicted as an accessory to robbery—drew national interest and newspaper coverage and eventually resulted in a gripping memoir and a Warner Bros. film,

both in the same year.<sup>22</sup> The response to Warner's film and the production of several other chain gang films in the 1930s established the genre of the social problem film during the Great Depression and demonstrated a correlation between downtrodden whites and historically oppressed blacks—even though it did take more than 20 years before the nation's filmgoers were exposed to the type of onscreen racial mixing that drives the plot of Stanley Kramer's *The Defiant Ones* (1958) in which one black and one white protagonist are represented as holding a shared fate of destitution and immobility. Depending on the timing of their production and release, chain gang films inevitably serve to comment on something other than convict labor. For example, *The Defiant Ones* (1958), the subject of my third chapter, is about a white and a black convict who escape from an overturned prison truck. The film becomes about the interracial relationship between its two lead characters at a crucial moment in the early years of the Civil Rights Movement. Meanwhile, the Coens' *O Brother, Where Art Thou?* (2000) focuses on three convicts whose escape looks like it is about to fail until a valley is flooded to make a hydroelectric dam possible. The flooding destroys one character's "ancestral manse" in a move that comes to represent the washing away of old provincial traditions in favor of the electrified and interconnected New South.

### **Paving the Ground Between Reality and Representation**

For their part, the novels I have selected to discuss in this dissertation create pathways into convict labor history. Unlike some of the more stark depictions offered up in chain gang films, these novels, when read in the manner I am suggesting, provide commentary on chain gangs and convict labor on a more systemic and political level. Chain gang films, for their part,

often operate in a very different manner and rely on shock value to create pathos. Even so, the films in this study, like the novels, have been carefully selected for their ability to deal more broadly with the relationship of convict labor practices to larger political and social forces that have had a profound effect on the South and perceptions of the region. For example, this dissertation discusses *The Defiant Ones* and *O Brother, Where Art Thou?* (2000) as films that use the chain gang to comment on the Civil Rights Era and rural electrification and the nature of modernization associated with rural electrification brought about by the federal government's creation of the Tennessee Valley Authority, respectively. Essentially, my readings of these films treat the combination of the imagery and impact of chain gangs as they relate to the South and considers what happens when chain gangs on film are viewed as genuine actors in shaping the region's history during two of its most pivotal twentieth-century moments that had widespread implications for social, economic, and political progress.

Similarly, the novels that warrant stand-alone chapters in this dissertation have not been chosen because they directly respond to chain gang conditions or discuss the experiences of convict laborers and chain gang members. In fact, the situation is just the opposite. For example, Chesnutt, whose *The Marrow of Tradition* (1901) is the focus of the first chapter, actually wrote a novel that was far more directly concerned with representing convict leasing and its abuses, *The Colonel's Dream* (1905). And the decision to use convict labor as a way into *All the King's Men* (1946) results from an important discovery about the way in which a combination of implicit and explicit references to convict labor wend their way throughout the novel. Both of these chapters suggest that literature of and about the South before the Civil Rights Movement carries along "hidden histories" of convict labor in a way that other Chesnutt and Warren scholars have not explored. This approach parallels the acute manner in which the essentially

secret—or at least unfairly elided or “forgotten” role that convict laborers played in modernizing the South. To dig deep into novels like *The Marrow of Tradition* and *All the King’s Men* and flesh out the recurrence of even just a few references to chain gangs reveals a subversive nature in these texts—and perhaps their authors as well—that others have overlooked. These novels carry along this hidden history and embed it within creative projects in a manner that mirrors the forgotten individual convict laborers of the South’s past.

Although there has been extensive work on Chesnutt in the past twenty years and a growing body of scholarship on *The Marrow of Tradition* itself, most of that work has remained focused on Chesnutt’s historical and literary persona, the complexity of his racial identity, and his vexed career.<sup>23</sup> The first chapter of this dissertation acknowledges the various treatments of *Marrow* as everything from the first apocalyptic African-American novel to a critique of miscegenation and black masculinity to a rough history of the Wilmington Race Riot of 1898 and the author’s “political masterpiece.”<sup>24</sup> But despite these numerous readings of *Marrow*, and as a result of the extensive critical interest in passing and race, scholars have paid little attention to the more technically political elements in the novel. Specifically, few scholars have considered the role of the character Captain McBane in the larger structure of the novel.<sup>25</sup> To most scholars, McBane represents little more than a specific southern caricature—a man whose shirtfront is ablaze with “a showy diamond” while it is “plentifully stained with tobacco juice.”<sup>26</sup> But as Chesnutt states in the novel, McBane, whose father was a plantation overseer, made his own fortune by leasing convicts before the political party he supported was voted out of office, and this stymied advancement—along with his affiliation with the tainted subculture of late nineteenth century convict leasing practices—stunts McBane’s rise in status even as his wealth allows him to rise in class, at least in the naïve eyes of Jerry the Negro porter who remarks: “He

ain' nothin' but po' w'ite trash nohow; but Lawd! Lawd! look at de money he's got,--livin' at de hotel, wearin' di'mon's, an' colloquin' wid de bes' quality er' dis town! 'Pears ter me de bottom rail is gittin' mighty close ter de top."<sup>27</sup>

My chapter uses *Marrow* and McBane to provide a ground-level look at the way convict labor established a potential line between whiteness and blackness in the South and the nation that rooted well beneath the skin by establishing *de facto* that the people on chain gangs were black and people overseeing them were white. Chesnutt uses convict labor as one unreliable and still murky way to draw the color line just as other black intellectuals of his day—most notably DuBois and Booker T. Washington—outline the genuine and “true” experience of the American Negro confronting postbellum white supremacy, scientific racism, and the unfulfilled promises of Emancipation and the 13<sup>th</sup> and 14<sup>th</sup> amendments. McBane embodies a certain element of the Old South in a novel about white southerners' violent objections against empowering and incorporating the children and grandchildren of slaves into the New South. More important for our purposes, though, McBane's reliance on his affiliation with convict labor for his wealth, power, and privilege further clarifies the ways in which these chain links served as determinants of whiteness and blackness with almost the same force and clarity of bloodlines. For all these reasons, Chesnutt's novel provides a useful lens for considering the legal construction of race in America at the dawn of the twentieth century.

Moving out of the nineteenth century and early twentieth century, my second chapter uses Warren's *All the King's Men* to show the significant role that convict labor played in the development of the South's emerging populist and progressive political and economic agendas. Here, allusions to convict labor in *All the King's Men* are more oblique, and at times only encountered at a remove. However, this very subtlety helps explain how this institution

functioned beneath the surface of the southern society and political practices that *All the King's Men*'s mainframe plot represents. Unlike several other works of American fiction and nonfiction one could address, this is not a novel *about* convict labor *per se*. Rather, convict labor functions in *All the King's Men* as one key subroutine operating within the larger system wrought by Willie Stark's agenda, which calls to mind the policies of the numerous southern governors and demagogues who served as historical antecedents for the Boss he clearly represents, Huey Long.<sup>28</sup>

My final two chapters turn our attention to how the southern chain gang began in the 1930s to occupy a particular place in Hollywood cinema history. My third chapter goes in tight on *The Defiant Ones* (1958), the Academy Award-winning film directed by Stanley Kramer and starring Sidney Poitier and Tony Curtis as two escaped convicts, one black and the other white, who are chained at the wrist and must overcome their distrust and dislike for each other—primarily rooted in their racial differences—in order to survive everything from drowning to starvation to a lynch mob. This chapter extends existing readings of *The Defiant Ones* as the first interracial buddy film by outlining the role the chain plays as the film's central linking trope. The chapter explores the critical and popular reception of the film as well as the unique ways it was promoted—distributor United Artists suggested theater owners get a black man and a white man to enter local parades chained together to promote the film's opening in their towns and cities, for instance. Additionally, the chapter shifts the common scholarly focus away from the relationship of Poitier and Curtis and on to the *posse comitatus*, or, put more simply, the militia organized and led by Sheriff Max Muller and state police Captain Frank Gibbons.

My argument is that *The Defiant Ones* politicizes and historicizes the chain gang by putting three distinct forms of policing that relate to chain gangs and black criminality on

display. First, Academy Award nominee Theodore Bickel, as Sheriff Muller, soft-pedals his way through most of the film's chase before finally becoming overwhelmed by the various legal and extralegal machinations that surround him. If the central tension of *The Defiant Ones* involves the relationship between Poitier's Noah Cullen and Curtis's John "Joker" Jackson, a subtle but no less important tension involves Sheriff Muller and the task assigned to him—the potentially cruel act that is vivified by Gibbons, the film's impromptu army, and its pack of tracking and attack dogs. Ultimately, we soon discover that Muller must navigate between the militaristic model of policing upheld by state police Capt. Frank Gibbons and his professional and amateur deputies on one side, and the potential anarchy wrought by the mob rule of a turpentine camp lynch mob on the other. Indeed, as I suggest in earlier chapters, many southern progressives—and surprising as it may seem at first, we might consider Sheriff Muller as the placeholder for this position—viewed the control of black labor as a necessary component of rebuilding and then modernizing the American South after the Civil War. And ultimately, policing became vital to that modernizing project.

The final chapter of the dissertation explores how Joel and Ethan Coen's film *O Brother, Where Art There?* (2000) brings to fruition a century of attempts by writers and filmmakers to come to terms with the progressive South. To date, of course, Hugh Ruppersburg, Janice Siegel, and others have discussed at length the numerous narratives that inform the writing, production, and consumption of *O Brother*—most notably Homer's epic *Odyssey* and Preston Sturges' 1941 *Sullivan's Travels* as well as *I am a Fugitive from a Chain Gang* (1932) and several other chain gang films released throughout the twentieth century.<sup>29</sup> But this reconstruction has, if anything, lowered critical estimates of the film and its cultural work capable of providing important historical lessons about the South and the nation. Ruppersburg, for example, describes *O Brother*

as a film that is “intentionally reckless in its treatment of southern and American popular culture, its use of fact, its invention and reinvention of myth, its fabrication of falsehoods, all of which are woven together into the fabric the film presents as reality. In essence, the film creates its own myth of the American South in the 1920s and 1930s ...”<sup>30</sup>

This chapter, however, takes a more historical approach to the film by delving into what it means to call *O Brother* a chain gang film and not simply a film with some chain gangs and convicts in it. The chapter examines moves that the film makes that are quite common in chain gang films—conventions that have for decades dictated our understanding of chain gangs in fact and in fiction—that participate in the larger narrative of southern history too often seen as a fringe element or remnants of a forgotten or backwater history. Instead, I argue, *O Brother* extends a long film tradition of creating sympathetic *white* fugitives intermingled with *black* convict laborers. With rare exceptions, chain gang films struggle to balance the historical realities of segregation with the on-screen racial mixing that is necessary for establishing white protagonists who must be read as downtrodden but *not* as assimilated into a system rooted in black criminality. Secondly, we need to take seriously lynching, vigilantism, and mob rule in the film—even though they seem to be played as screwball comedy reminiscent of Sturges. And that is because these very real forms of policing and social ordering have, however illegitimately, served as important alternatives to the legitimate exercise of state power otherwise wrought by convict leasing and public works chain gangs. Finally, and this relates to these questions about legitimacy and law enforcement, *O Brother* illustrates the pitfalls and contradictions of justice and higher authority through its depiction of the stereotypical and mythical Sheriff Cooley and his whip-wielding and diabolical deputies. Against the backdrop of these readings and the place of *O Brother* in film history, the final chapter of the dissertation marries the mythical treatment



of the region with the historical reality of southern progress. Notably, I provide historical context for the film related to the federal government's implementation of programs overseen by the Tennessee Valley Authority, specifically the installation of several high dams throughout the Tennessee River's watershed and the desire to pull the region out of a transitional stage and into modernity through a comprehensive program to offer electrification and mass communication to rural areas across seven states from Appalachia down to the Deep South.

The release, content, and reception of *O Brother* are pertinent to this study for a couple of reasons. First, the film's late 1990s production and 2000 release coincide with the revival of actual chain gangs in Alabama, Florida, and other states in the South and throughout the country—events that also triggered the interest and production of historical texts about convict labor. Secondly, as a film scholar I am interested in the way *O Brother* speaks back to Preston Sturges' screwball comedy *Sullivan's Travels* (1941), a film that serves to conclude roughly a decade during which studios produced numerous chain gang films. *O Brother, Where Art Thou?* is the title of the socially conscious film “with a little sex” that fictional director John L. Sullivan wishes to, but ultimately fails to produce. While researching his version of *O Brother*, Sullivan gets arrested and winds up on a chain gang. The Coens' version of *O Brother* begins with three men escaping from a chain gang.

*O Brother* offers a range of southern tropes to place in conversation with the other texts in this study. Moreover, its epic narrative form invites a classical reading and suggests a way to apply some of the same lessons gleaned from the canonical literature discussed earlier. The fourth chapter shifts the focus of *O Brother* away from its central characters to consider the possibility that the epic odyssey under consideration is *not* that of its three central characters—Everett, Delmar, and Pete—but rather of the South itself—a region struggling to return to its lost

sense of “home” in the face of contradictions and conflicts. Infusing TVA history into my discussion of this film is intended to make that connection more salient as this history reveals both an attempt by the federal government to reconcile with the various states of the southern region as well as an overall strategy of imposing support for modernization and industrialization that contradicted the mentality of the traditional Old South. In response to this history and through its pell-mell style, *O Brother* manages to raise important questions about where the South has been and, perhaps, where it is going, and a careful and critical look at the chain gang’s role in this film helps to clarify both.

By analyzing a recent text like *O Brother* (2000) in the same study as *The Marrow of Tradition* (1901), “*Restricted Movement*” and *Coordinates of Freedom* takes the full measure of the twentieth century and demonstrates just how enduring the legacy of chain gangs and convict labor have proven themselves to be. This long view also allows the dissertation to enter a vibrant and complex conversation about race, criminality, prison studies, southern and American history, and literary and film studies at a crucial moment for injecting this history into myriad disciplines. In recent years, for mostly symbolic reasons, chain gangs have reemerged on America’s roadsides, and this dissertation attempts to provide a traditional and cultural historical context for these events that should aid our understanding of them.<sup>31</sup> Quite unexpectedly, this resurfacing has not been limited to the Deep South—though Alabama may have given the idea to such states as Wisconsin, Florida, Arizona, and even Massachusetts. In a move eerily reminiscent of the invisible man’s electro-shock treatment hospital scene, for example, more law enforcement agencies and court systems are utilizing “stun belts” in lieu of chains.<sup>32</sup>

In 1995, then-Gov. Fob James reinstituted chain gangs in Alabama, shackling together five inmates with an eight-foot chain. The practice ended about a year later for reasons that

depend on who you ask—staffing issues, costs, arguments over whether to have women on chain gangs, the shooting and killing of an inmate by a guard, or a lawsuit filed on the basis of cruelty and settled in the inmates’ favor. In 1999, a sheriff in Massachusetts instituted what are believed to be that state’s first chain gangs, but he told a reporter that he preferred the term “tandem work crews.” And never missing an opportunity for publicity, America’s self-styled “toughest sheriff,” Maricopa County, Arizona’s Joe Arpaio paraded out his pink-suited, DUI-chain gang members for the throng of media that rolled into Phoenix for the 2008 Super Bowl. Even if these recent uses of chain gangs are not motivated by race, the disproportionate rate of incarceration for blacks and the history of this form of punishment encodes its racist implications and re-inscribes the inequality, prejudice, hatred, maltreatment, and dehumanization associated with their historical antecedents.<sup>33</sup>

To encourage further and thoughtful discussion of these issues, this dissertation provides readings of a limited number of representative novels and films that are interested in and informed by chain gang history to forge greater continuity for a cultural understanding of oppression that can lead us to better grapple with several crucial contemporary issues. For example, by coming to terms with the construction of black criminality we might better understand the root causes of prison overcrowding, differential punishment, and the fact that incarceration, as sociologists Becky Pettit and Bruce Western have argued, is becoming “a new stage in the life course of young low-skill black men.”<sup>34</sup> As David Simon, co-author of *The Corner* and creator of HBO’s *The Wire* trenchantly put it during a DVD commentary for the series, “If the War on Drugs were being fought against white people, it would have ended 10 years ago.” In other words, the legacy of convict labor and chain gangs as an institution in which black men and women are abused and stripped of their freedom and humanity should not simply

enter the realm of historical abstraction, literary metaphor, mere academic curiosity, or a visual vocabulary confined to television and movie screens. Rather, through a careful and thoughtful treatment of literary and film representations like the ones presented in the following pages, convict labor and its critical role in paradoxically advancing and stifling the South can be physically felt and the chain link can be reconstituted and resituated as a site of memory and a metonymy for forced servitude, racial oppression, and injustice.

## Chapter One

### **Awakening a Dormant Appetite: Capt. McBane, Convict Labor, and *The Marrow of Tradition*'s "Congenial Occasion"**

*"Go to the polls tomorrow, and if you find the Negro out voting, tell him to leave the polls, and if he refuses, kill him. We will never surrender to a ragged raffle of Negroes, even if we have to choke the current of the Cape Fear with carcasses."*

—Alfred Waddell, at an election rally on Nov. 7, 1898, in Wilmington, NC

Moments before a bloody battle erupts near the end of Charles W. Chesnutt's *The Marrow of Tradition* (1901), the novel's narrator notes a slight but critical change in the group of armed white men poised to attack a black-owned and operated hospital.<sup>1</sup> *The Marrow of Tradition*—Chesnutt's fictional response to the 1898 Wilmington (North Carolina) Race Riot<sup>2</sup>—is considered the writer's "political masterpiece"<sup>3</sup> focusing as it does on miscegenation, racial caste, violence, and, at its crisis moment, election fraud and intimidation in a southern port city. Concerned about their waning power, three white supremacists orchestrate a campaign of "no Negro domination" to reassert their control in the fictional city of Wellington. Their efforts culminate in widespread flight from the city and bloodshed in its streets. In the scene above, a group of black men led by Josh Green have garrisoned themselves in Dr. William Miller's hospital, one of the most important institutions in the black community. Green and his followers have already seen a dozen other black men and women "dead in the streets of Wellington ... slain in cold blood." Now, the armed black men find themselves in a standoff with a group of armed whites.

Just as the first shots are about to fly, the narrator points out that Capt. George McBane is the only one of the three white co-conspirators who has not “withdrawn from active participation in the rioting” (196).<sup>4</sup>

McBane’s decision to remain in this violent scene long after the other white leaders have withdrawn sets him apart from the same white elites whose acceptance he so dearly desires. This and other moves in the novel by McBane, a former convict lessee who “had sprung from the poor white class” as a result of his lease (22), invite us to reflect on how race and class were interconnected in the American South in the late nineteenth century. Because of the way Chesnutt narrates McBane’s various roles in the novel, a closer investigation of this seemingly minor character will supplement recent readings of this historically significant novel.<sup>5</sup> First, we see Chesnutt’s interpretation of the significance of convict labor in solidifying the region’s racial caste system after Reconstruction. Next, we begin to unravel just how Chesnutt interpreted the use and threat of chain gangs, and the criminal justice system more generally, to undermine attempts by poor whites and all blacks to pursue their common political and economic interests. At first glance, to be sure, McBane seems little more than an ancillary southern caricature—a man whose shirtfront is ablaze with “a showy diamond” while it is “plentifully stained with tobacco juice” (20). By stereotyping McBane, Chesnutt shows how more privileged white southerners farther removed from policing African Americans maintain their class and racial identity by inviting men of McBane’s lower, but rising class to do their bidding.<sup>6</sup> And yet, in McBane, we also encounter a much more complex character: one tainted by his involvement with the convict-lease system in ways that actually undermine his white identity.

Because *The Marrow of Tradition* is an intricate novel, most contemporary scholars tend to focus upon the two main narratives that structure the text, in which two intertwined southern families—the white Carterets and the black Millers—are bound by an act of miscegenation in their families’ shared past. This secret haunts the more sensational events of the book: the violent uprising and battle through the streets of Wellington, multiple life-and-death encounters involving children, a robbery and murder and subsequent failed attempt to lynch a trusted black servant, and all the intrigue that swirls around legal questions. In many ways, this approach to the novel is in spirit with recent historical and cultural work in southern studies that tends to focus on the elimination of black’s racial visibility, an approach that relies heavily on the notion of spectacle. By racial visibility, I mean those instances in which racism and racist practices become overt and spectacular—framing the visual, outward signs of racial difference, defining racial identity according to physical appearance, and then ultimately causing historical and cultural events that result in a degrading spectacle to the point of drawing crowds and stirring mobs. The best example of this kind of work involves the growing scholarly interest in lynching. In one of the earliest studies involving *The Marrow of Tradition*, Eric Sundquist, for example, counterpoints McBane with the black rebel Josh Green, “an incarnation of lower-class physicality that must be suppressed in favor of adherence to the law.” Accurately calling Josh “an outlaw ... created by the outlaw organization of the Ku Klux Klan,” Sundquist explains that Josh’s ambiguous relationship to the law was typical of “the African American folk hero in the 1890s as hopes for black political and civil rights crumbled and white supremacist violence became more frequently and publicly spectacular.”<sup>7</sup>

But if Sundquist is correct in calling *The Marrow of Tradition* a “masterpiece,” then it is partly because its themes of racial segregation and violence allow us to uncover, as well, what we might call a system of racial invisibility enacted through the convict lease. Chesnutt’s subtle but clear choice of a convict lessee as a triggering character for the climactic scene in the novel shows how whites in the South did not necessarily seek to eradicate blacks altogether as some scholars such as Ryan Friedman have suggested. Rather, they attempted to re-order the South by suppressing blacks politically and socially while simultaneously using them economically, first to reconstruct, and then to modernize the region. In other words, whites hoped to make blacks invisible on matters political, cultural, and social by ferreting them away and hiding them in a penal system driven by the invisible hand of supply and demand. For this reason and others, it is misleading to characterize McBane, as Sundquist does, as “an outlaw.”<sup>8</sup> As Ryan Simmons and Jae Roe have suggested, the “overtly more violent”<sup>9</sup> McBane’s role is merely that of a “terrorist arm” of white elites.<sup>10</sup> Consequently, even in his final, mortal wounding of Josh Green, McBane operates safely within the law in spite of the white elites’ discomfort with his methods, background, and lack of cultivation. McBane is in fact a stand-in for state power and his death creates only a temporary and fictional respite from the historical subjugation and violence faced by blacks in Wilmington and the South. As the son of a former slave overseer, McBane allows Chesnutt to critique what he sees as the South’s regression since the end of Reconstruction and also to contrast the two labor models in a manner similar to the approach taken by current historians of convict leasing. Secondly, Chesnutt shows how McBane triggers the South’s legal system, frequently releasing its dormant violence. For Chesnutt and his readers, McBane



shows how criminality became linked to blackness in ways that made whiteness a precious commodity and raised the stakes of establishing one's identity on either side of the color line. And finally, Chesnutt uses McBane's ultimate showdown with Josh Green to displace a rebellion against convict labor that, to Chesnutt's chagrin, never really occurred.

In the first two decades of the twentieth century, as *The Marrow of Tradition* would indicate, most southern states simply would transition from convict leasing to state-run public works chain gangs. Mortally unsanitary conditions and maltreatment to the extreme of murders and mass graves were the end result of both of these approaches to convict labor. In one of the most hellish of these accounts, Matthew Mancini cites the discovery in March 1888 of a graveyard in Coal Hill, Arkansas, where 60 to 70 convicts who had "died by the dozens of scurvy, malaria, overwork, and murder" were secretly buried "under sixteen inches of marshy earth."<sup>11</sup> Across the board, historians agree that even southern state legislators who opposed the convict lease were at a loss for an alternative plan to pay the price of arresting and imprisoning their newfound class of criminals. As a result, they spent decades exploiting convict laborers and their labor even after many state legislatures had officially banned convict leasing.<sup>12</sup> With typical irony, Chesnutt uses Maj. Carteret to suggest a rationalization that southern whites could have embraced to justify these practices. At the Christening Party for Carteret's son, the paternalistic old Mr. Delamere accuses Carteret and his newspaper of being "hostile toward the negro."<sup>13</sup> Carteret responds, "On the contrary, I am friendly to his best interests. I give him employment; I pay taxes for schools to educate him, and for court-houses and jails to keep them in order" (16). Carteret's suggestion that keeping African

Americans “in order” is in their best interest, of course, overlooks two other significant historical facts about whose interests were served by placing them in jail or, more accurately, on chain gangs. These mostly black convicts were often sent straight from their place of conviction to “sugar and cotton plantations, as well as to coal mines, turpentine farms, phosphate beds, brickyards, sawmills, and other outposts of entrepreneurial daring in the impoverished region.”<sup>14</sup>

Consequently, this is why McBane—at least as much as Carteret and the other lead characters in the novel—proves so central to Chesnutt’s vision: he carries over the “lost cause” of convict lease into forms of violence that had long characterized the southern criminal justice system. Capt. McBane provides Chesnutt with a stock literary character who has numerous historical antecedents—ranging from white labor and Wilmington Red Shirts organizer Mike Dowling to Confederate Gen. Nathan Bedford Forrest to “the One-Eyed Plowboy” Ben Tillman, a former governor and US Senator from South Carolina.<sup>15</sup> McBane embodies a particular racist element of the Old South that successfully established itself in the progressive New South. And as distasteful as the circumstances may have been for southern aristocracy to accept, the fictional McBane and his historical antecedents were a necessary evil that did the violent dirty work of both the “Wilmington Revolution” and the race-based power dynamics prevalent in the region and the nation before and after 1898. Wilmington, a thriving and progressive city before the massacre, became a markedly different place after it. Most of the prominent black residents sold or gave away their property and left for other parts of the state or other states altogether. The African Americans who remained in Wilmington led lives of fear and resentment toward their white neighbors. Many of them refused to return to work for

their white employers. Helen G. Edmonds contends that the problem became so serious that the state Democratic legislature of 1899 enacted a vagrancy statute for Wilmington.<sup>16</sup> Although Edmonds suggests that the legislature intended to force blacks back to work, it is important to note that such statutes may have had little to do with ensuring free black labor worked for wages. In fact, as I will outline below, it was vagrancy and similar ordinances that made it possible for the use of convict labor to continue well into the next century. Following the 1898 Wilmington Race Riot—since the work of historian Leon Prather more accurately termed the Wilmington Racial Massacre and Coup—the leaders of North Carolina’s Democratic Party settled upon three less publicly violent ways to remove blacks from the political process and social landscape: voter disfranchisement, Jim Crow segregation, and the continued use of convict labor fueled by more ordinances like “vagrancy” specifically designed to ensnare blacks.<sup>17</sup>

Consequently, McBane becomes a stand-in for state power and his death creates only a temporary and fictional respite from the historical subjugation and violence faced by blacks in Wilmington and the South. *The Marrow of Tradition* draws upon specific historical facts to critique the operation of this relationship between convict labor and the emergence of the New South. In turn, Chesnutt fictionalizes the events that occurred in Wilmington, NC, in November 1898, the rise and fall of Fusion party control in North Carolina from 1894 to 1901, and the social, political, and economic restructuring of Wilmington before and after 1898.<sup>18</sup> This literary portrait of these historical events provides the necessary foundation for using McBane and *The Marrow of Tradition* to examine the volatile and changing southern racial order during this period. To that end, Chesnutt allows McBane to perform several key roles in the novel. First, as the son of a

former slave overseer, McBane links the 1901 novel's contemporary racial hierarchy and economic model to the South's earlier master-slave model. This connection allows Chesnutt to critique what he sees as the South's regression since the end of Reconstruction and also to contrast the two labor models in a manner similar to the approach taken by current historians of convict leasing. Secondly, Chesnutt shows how McBane triggers the South's legal system, frequently releasing its dormant violence.

For Chesnutt and his readers, McBane is intended to show how criminality became linked to blackness in ways that made whiteness a precious commodity and raised the stakes of establishing one's identity along the color line. In his recent *Prisons, Race, and Masculinity*, Peter Caster provides one of the more insightful theoretical and historical readings of how blackness and criminality became conflated in the post-Civil War South. Caster argues that southern whites—as well as whites nationwide—have successfully used the criminal justice and prison systems to “defeat in detail” freed blacks that they view as an overwhelming threat to their hopes of maintaining control of the region and the country.<sup>19</sup> And Caster's militaristic metaphor is consistent with the tactical nature of McBane's third role in the novel. Chesnutt uses McBane's ultimate showdown with Josh Green to displace a rebellion against convict lease that never actually happened. In other words, the canceling out of McBane and Green “in their mirror acts of killing each other”<sup>20</sup> becomes a way for Chesnutt to pair the actual and metaphorical deaths of southern blacks at the hands of whites to the death of southern progress as Chesnutt understood that term. Consistent with his thinking at the time, Chesnutt uses *Marrow* and McBane to drive home his argument that both blacks *and* whites would ultimately lose if the South continued to enforce segregation, tolerate peonage and

convict leasing, do violence to its black residents, and promote a *Herrenvolk* democracy that subordinated blacks to whites.<sup>21</sup> Chesnutt saw southern progressivism's inherent restrictions on blacks—such as whites-only local primaries, disfranchisement amendments, and Jim Crow laws and segregation—as a “potential danger to democracy.”<sup>22</sup> Ultimately, this form of southern progressivism and “democracy” for whites only coupled with a desire for regional, as opposed to racial, uplift put white southern progressives at odds with Chesnutt and his fellow black reformers. For his part, McBane, as a stand-in for convict leasing, functions as the dark underbelly of this type of progressivism, successfully hiding its violent potential until that violence migrates from backwoods work camps, coal fields, and railroad bed blasting sites to a place like Wilmington.

Despite their opposition to peonage and convict leasing and calls for universal education for blacks and whites, southern progressives were unable to satisfy Chesnutt and other black radicals, such as W.E.B. DuBois, Ida Wells Barnett, and William Trotter, who felt blacks needed to participate more fully in the political and social life of the South.<sup>23</sup> Essentially, Chesnutt sought in his fiction and essays to counter attitudes about blacks that allowed white supremacy to entrench itself in a manner that dictated a particular kind of southern progressivism. Meanwhile, southern progressives sought to strike a tenuous balance as they attempted to reorder the South on their own terms in accordance with their traditions—traditions that included a strained combination of paternalism and oppression of African Americans who had gone from slavery to freedom essentially overnight. Amid “the tensions and turmoil that pervaded the South in the late nineteenth century,” southern progressive reformers, in Dewey Grantham's words,

“looked toward the creation of a clearly defined community that would accommodate a society differentiated by race and class but one that also possessed unity, cohesion, and stability.”<sup>24</sup> White southerners at the turn of the twentieth century thought blacks were “losing ground” and “they were increasingly undisciplined, ignorant, and immoral, and that they were steadily becoming less efficient as laborers. Since most black Americans lived in the southern states, this degeneracy, white southerners declared, made it more difficult for the region to compete industrially, added to its crime rate, imperiled its health, and disrupted its race relations.”<sup>25</sup>

Whether these conditions were reality or rhetoric did not matter at the time and matter even less now; they provided a pretext for racial division and caste for the bulk of the twentieth century. White southerners went so far as to couch disfranchisement as “reform.” For our purposes, the manner in which this was done is of particular interest. These progressive reformers twinned the black vote with black criminality. They argued that taking away the ballot from blacks “removed some of the alleged excesses of Reconstruction and struck at black lawlessness ... Proponents of disfranchisement maintained that by removing the black man as a pawn in elections, southern politicians would no longer have to resort to intimidation, trickery and fraud at the polls. With the race issue removed from politics, white southerners could freely debate the issues and divide as they saw fit.”<sup>26</sup> But as C. Vann Woodward explains, “[t]he blind spot in the Southern progressive record—as, for that matter, in the national movement—was the Negro, for the whole movement in the South coincided paradoxically with the crest of the wave of racism.”<sup>27</sup> Southern progressives’ successful removal of blacks from the region’s body politic corresponds with the notion of *invisibility* that I mentioned above. And this

erasure from the political scene relies on the same ideology that undergirded the convict lease—an institution that separated blacks from whites based on criminal identity and then either put chained blacks in pastoral scenes or “hid them” in far-flung work camps or down mine shafts.

### **Violent Speech to Violent Acts: Historical Context for *The Marrow of Tradition***

The highly spectacular 1898 Wilmington Race Riot fomented racial *invisibility* in North Carolina and throughout the South twenty years after the end of Reconstruction. The violence that resulted in the burning of an African-American newspaper office and the death of an undetermined number of blacks began as a superheated debate between two southerners—African-American journalist Alexander Manly of the *Wilmington Daily Record* and Georgia reformer Rebecca Latimer Felton. Manly was “an octoroon without the slightest earmark of negroid features” who was “as white as any Caucasian and more white than the numerous rustic rednecks.”<sup>28</sup> And Felton was the wife of a US Congressman and herself would eventually become the first woman to serve in the United States Senate—albeit for just one day.<sup>29</sup> It appears clear now that Felton and Manly’s war of words began in 1897 and culminated in the 1898 Wilmington Race Riot—itself the first in a series of “Jim Crow Riots” that would rage across the South until 1919.<sup>30</sup>

At an agricultural convention in Georgia in August 1897, Felton declared that lynching “a thousand times a week if necessary” was a proper response to white women’s rape accusations against black men, whom Felton described as “ravening human

beasts.”<sup>31</sup> For his part, Manly challenged Felton’s incendiary comments with a matter-of-fact rebuke about the nature of interracial relationships by suggesting that “[white] women were not any more particular in the matter of clandestine meetings with colored men, than are the white men with colored women.” Manly claimed, “meetings of this kind go on for some time, until the [white] woman’s infatuation or the [black] man’s boldness bring attention to them both and the man is lynched for rape.” On the heels of this highly charged back-and-forth, Manly and Felton soon became foot soldiers in North Carolina’s ideological and political war over fusion, amalgamation, miscegenation, and segregation.<sup>32</sup> And while no one can ever truly say who wins any war, it has become quite clear in recent years which side suffered the most casualties.

As the *New York Times* reported when North Carolina released its 1898 *Wilmington Race Riot Commission Report* in 2006, “[n]obody will ever be certain how many people died the night of Nov. 10, 1898, on the streets, in the marshes where some ran for safety, or in the swift, wide current of the river that has always defined this port city.”<sup>33</sup> Lottie Clinton, who served on the Commission, told the *Times*, “The Cape Fear River could be dammed up with black bodies, but we have no way of knowing just how many ... A lot of people, nobody ever heard from them again, so you just couldn't know whether they ran away and never came back or were killed.” As historians and the public come to terms with the devastation of this day more than a century ago, it is becoming increasingly important to see how Chesnutt’s fictional account supplements other narratives to reshape our understanding of this history and its effects. The events in Wilmington on November 10, 1898, are now viewed not as a black uprising as the term “race riot” might imply, but rather as a successful coup; a massacre of blacks, fusionists



and Republicans of both races; and a turning point in US and southern race relations at a pivotal moment in the history of both.<sup>34</sup> Throughout the past decade, that is, historians and literary critics interested in this event as a result of Chesnutt's novel have by and large emphasized the cataclysmic nature and the racial underpinnings of the 1898 Wilmington Race Riot as a historical footnote whose importance has been unnecessarily localized.<sup>35</sup> These scholars agree that the Wilmington Race Riot is an event worth mining for myriad lessons regarding racial caste and conflict. As historian Glenda Gilmore argues, "It is important for us to be clear about what happened in Wilmington in November 1898, to state it plainly, and to memorialize it honestly." But to Gilmore as to most scholars, "[t]he explanatory power of the Wilmington racial massacre is found in the ways that white leaders murdered to uphold their class position, their manhood, and their whiteness."<sup>36</sup>

Manly and Felton's debate underscores why historians like Gilmore focus on the interconnections between psychosexual affairs and politics behind the Wilmington outbreak—the central tension of *Marrow*. As LeeAnn Whites points out, Felton's "increasingly reactionary race politics" was created and nurtured by her overarching fear of interracial couples and their offspring—"perhaps the ultimate form of fusion."<sup>37</sup> But I argue this specific fear of fusion, which for Felton meant sexual relations, became more broadly applied to the full political and social landscape. And I believe this link between psychosexual anxiety and politics ultimately helped proliferate convict labor practices in the South—practices that rest on the twin pillars of separation and subjugation. In a move that may indicate just how vexed the relationship of progressive southerners to convict

leasing was, Felton herself both benefited from and bitterly opposed Georgia's convict lease—again on the grounds of miscegenation.<sup>38</sup>

Essentially, as Richard Yarborough explains, the violence in Wilmington was rooted in a similarly “complex intertwining of cultural, economic, political, and psychosexual tensions” that was “part of a massive wave of anti-black violence that reflected the extent to which the state of the African American had deteriorated in the post-Reconstruction South.”<sup>39</sup> Before this cataclysmic riot, the city of Wilmington had the potential to serve as a model of cooperation and integration for other majority black southern cities and counties.<sup>40</sup> Yarborough isolates three factors worth considering that contributed to the riot: a high-stakes political contest between Fusionists and Democrats; a “fierce interracial competition” for jobs in both manual labor and the skilled professions; and, finally, the response to a provocative editorial about sexual relations between white women and black men that appeared in August of 1898. The first of these three factors—a political struggle between Fusionists and Democrats—relates most closely to our discussion about progressivism, while the other two factors explain just how charged and heated this political fight became in North Carolina. The Fusionists were a mix of black and white Republicans and populist agrarian reformers who opposed, among other things, the use of convict labor in the South by capital investors and interests.

With her August 1897 address, Felton actually intended to link the dirty politics of southern white men to the vulnerability of poor white women and their susceptibility to rape by black men. Felton declared, “With due respect to your politics, I say that when you take the negro into your embrace on election day to control his vote and use liquor to

befuddle his understanding and make him believe he is a man and your brother, when you honey snuggle him at the polls and make him familiar with dirty tricks in politics, so long will lynchings prevail, because the cause will grow and increase with every election.”

Felton was ultimately attempting to warn that “white men’s lawlessness and corrupt practices” regarding electoral politics and kowtowing to black voters had only resulted in increased black criminality.<sup>41</sup> In particular, Felton argued that the immorality and dirty political and sexual dealings of white men demonstrated a particular approach to women, politics, and society that blacks sought to emulate. Not surprisingly though, her condemnation of white men received far less attention in the local and national press than Felton’s damnation of black.

This context explains Manly’s own response. Following a summer of lynching and mob violence, Manly used his popular newspaper to respond to Felton’s speech and her characterizations of black men. Manly took this opportunity to point out that the white press describes every black man lynched as a “big, burly, black brute” even though they were “sufficiently attractive for white girls of culture and refinement to fall in love with the them, as is well known to all.” This final claim of romantic interest of white women in black men, LeeAnn Whites concludes, easily represented everything that had gone wrong for Felton and her fellow white southerners with regard to race relations in the South since the end of the Civil War. Manly shifted the blame for rape charges from black men to white women and, by extension, to white men who failed to corral them. And Manly’s calling forth of this uncomfortable truth, a successor to the “nameless crime” of plantation miscegenation and the “[keeping] of two households under one roof,” was the match that lit the fuse.<sup>42</sup> Manly called to task the morality of everyone

involved in various sexual relationships across class and color lines, but, according to Gilmore, his “best-aimed blow was the suggestion that some white women freely chose black men as lovers, which shook the monolithic power of whiteness.”<sup>43</sup> Since all white women were “pure” and all black men were “animals or children,” Manly’s suggestion represented, at best, something impossible, and, at worst, a volatile affront to the already unstable racial hierarchy.

## **CONVICT LABOR, CRIMINALITY AND INCARCERATION**

In the first two decades of the twentieth century, due to conditions and political changes like those that cost McBane his lease, most southern states simply would transition from convict leasing to state-run public works chain gangs. Mortally unsanitary conditions and maltreatment to the extreme of murders and mass graves were the end result of both of these approaches to convict labor.<sup>44</sup> Across the board, historians agree that even southern state legislators who opposed the convict lease were at a loss for an alternative plan to pay the price of arresting and imprisoning their newfound class of criminals. As a result, they spent decades exploiting convict laborers and their labor even after many state legislatures had officially banned convict leasing.<sup>45</sup> With typical irony, Chesnutt uses Maj. Carteret to suggest a rationalization that southern whites could have embraced to justify these practices. At the Christening party for Carteret’s son, the paternalistic old Mr. Delamere accuses Carteret and his newspaper of being “hostile toward the negro.”<sup>46</sup> Carteret responds, “On the contrary, I am friendly to his best interests. I give him employment; I pay taxes for schools to educate him, and for court-

houses and jails *to keep him in order*” (16; my emphasis). Carteret’s suggestion that keeping African Americans “in order” is in *their* best interest, of course, overlooks two other significant historical facts about whose interests were served by placing them in jail or, more accurately, on chain gangs. These mostly black convicts were often sent straight from their place of conviction to “sugar and cotton plantations, as well as to coal mines, turpentine farms, phosphate beds, brickyards, sawmills, and other outposts of entrepreneurial daring in the impoverished region.”<sup>47</sup>

Consequently, this is why McBane—at least as much as Carteret and the other lead characters in *Marrow*—proves so central to Chesnutt’s vision: he carries over the “lost cause” of convict lease into forms of violence that had long characterized the southern criminal justice system. Capt. McBane provides Chesnutt with a stock literary character who has numerous historical analogues—ranging from KKK Grand Wizard and Confederate Gen. Nathan Bedford Forest to “the One-Eyed Plowboy” Ben Tillman, a former governor and US Senator from South Carolina.<sup>48</sup> McBane embodies a particular racist element of the Old South that successfully established itself in the progressive New South. And as distasteful as the circumstances may have been for southern aristocracy to accept, the fictional McBane and his historical analogues were a necessary evil that did the violent dirty work of both the “Wilmington Revolution” and the race-based power dynamics prevalent in the region and the nation before and after 1898.

Wilmington after the massacre became a markedly different place. Most of the prominent black residents sold or gave away their property and left for other parts of the state or other states altogether. The African Americans who remained in Wilmington lived lives of fear and resentment toward their white neighbors. Many of them refused to

return to work for their white employers. Edmonds contends that the problem became so serious that the Democratic legislature of 1899 enacted a vagrancy statute for Wilmington. Although Edmonds suggests that the legislature intended to force blacks back to work, it is important to note that such statutes may have had little to do with ensuring free black labor worked for wages. In fact, as I will outline below, it was vagrancy and similar ordinances that made it possible for the use of convict labor to continue well into the next century. Following the Wilmington Race Riot, the leaders of North Carolina's Democratic Party settled upon three less publicly violent ways to excise blacks from the political process and social landscape—voter disfranchisement, Jim Crow segregation, and the continued use of convict labor fueled by more ordinances like “vagrancy” specifically designed to ensnare blacks.

But despite all the abuses and opposition to convict leasing, it is important to note that the system served a particular purpose and, in many ways, was “progressive” in its own right. Unfortunately for the convicts who labored and died under that system, the progress was intentionally and unapologetically economic. For more than 150 years, beginning even before the Civil War, America's prisoners have done a great deal of the necessary “dirty work” for many of the nation's largest corporate interests. And as David Oshinsky points out, these arrangements were not simply profit-driven. Convict leasing served a particular “cultural need” as well for “[i]n a region where dark skin and forced labor went hand in hand, leasing would become a functional replacement for slavery, a human bridge between the Old South and the New.”<sup>49</sup> Or, as Lichtenstein states less metaphorically, “convict labor rests at the nexus of the key elements in the ongoing debates over the distinctiveness of the New South and the evolution of its race and class

relations. Above all, convict labor made modern economic development of the South's resources compatible with the maintenance of racial domination."<sup>50</sup>

Although we cannot necessarily uncover the true motives of the various state legislators, governors, and business leaders who perpetuated convict leasing, we should consider the circumstances and the ideology that surrounded their various actions if we wish to have any chance at seeing how events in the nineteenth century have played out into the twentieth and twenty-first. The South before the Civil War was behind the North in prison building and maintenance, and after the war things got worse. In 1873, for example, the superintendent of the South Carolina penitentiary found his prison in such disrepair that he opted to lease the state's convicts because he saw no other way to feed them.<sup>51</sup> So the initial purpose of convict leasing was to relieve southern states of the responsibility of housing and taking care of their prisoners during a 50-year period following the Civil War when these states were left reeling from defeat. And as Matthew Mancini concludes, "All the major themes of the period in Southern history were clustered together within that institution: fears of a labor shortage, racism, the dearth of capital, hair-trigger violence, the courageous efforts of humane reformers, and, through it all, the struggle to modernize."<sup>52</sup> Mancini further explains that convicts provided a workforce for several industries important for the South's development by serving as a stopgap for the threat of labor shortages. Of course, even the most difficult, grueling, and dangerous jobs can be filled, "providing the wages are high enough." But industries such as turpentine gathering, one of Wilmington's most important businesses, were so demanding that business leaders complained they were unable to control enough free labor to cultivate a satisfactory number of trees.<sup>53</sup> And as Alex Lichtenstein explains, the

“poorly developed and capital-scarce region depended on stable labor relations” and, particularly in coal mining, “disputes between labor and capital threatened to impede production or scare away desperately needed capital investment.”<sup>54</sup>

In many ways, the perseverance of the convict lease and subsequent state-sponsored public works chain gangs might generally be grouped under the rubrics of “identity” and “control.” As a result of these uniquely southern institutions, blacks in the region were caught in a criminal justice system that left them with few worthwhile options. At times in the late nineteenth century and more frequently in the early twentieth, criminalized blacks in the South were subjected to what William Cohen calls “vagrancy roundups,” sometimes “for the sole purpose of securing labor.” Often, blacks arrested for minor crimes were released into the custody of a person who paid their court costs and fines and was then free to use the convict as he pleased with the constant threat of the chain gang and a return to incarceration hanging over the convicted. This individual was frequently a local planter looking for an inexpensive field hand or two. The case of Ed Rivers, a black Alabamian convicted of petty larceny, illustrates the economics and circumstances of this situation. For his offense, Rivers was ordered to pay a \$15 fine along with \$43.75 in court costs. In the absence of such an insurmountable total, Rivers could have opted to work his sentence out on the chain gang, which would have taken him sixty-eight days. Instead, on May 4, 1910, he committed to a contract for nine months and twenty-four days with an employer who agreed to pay his fine and costs. But on June 6, Rivers refused to work any longer. His employer had him arrested for violating their contract and the judge set a paltry fine of one cent—plus court costs of \$87.75. Consequently, Rivers was forced to agree to another fourteen months of labor to



pay off his increasing debt. Citing Rivers' case as a common occurrence, Cohen argues: "the surety system was the nexus between the penal system and the agricultural system. ... With few exceptions, going with the planter was preferable to going on the chain gang, but the nature of the choice reveals the surety system to be part of a larger system of labor control that aimed to limit black mobility and to render potential troublemakers docile."<sup>55</sup> The mechanics and details of these various arrangements—whether convicts worked for private planters, in mines for northern steel manufacturers,<sup>56</sup> or on railroads scattered all over the countryside and backwoods—seems to me less important in this context than the overall issues raised by convict leasing and chain gangs.

Journalist Douglas Blackmon's Pulitzer-Prize winning nonfiction work *Slavery by Another Name* (2008), the most recent historical entry into this discussion, warrants particular mention here as a backdrop for our discussion of the legal and illegal use of convict labor. Utilizing several conventions of fiction, Blackmon narrates the experiences of Green Cottenham to ground his exploration of what he and others have termed "neo-slavery." Blackmon begins in Shelby County, Alabama—near Birmingham—with Cottenham's March 30, 1908, "vagrancy" arrest. Blackmon and several others argue that vagrancy, which required everyone to have proof of employment at any given moment, disproportionately ensnared African Americans. Blackmon argues that the law was "a new and flimsy concoction dredged up from legal obscurity at the end of the nineteenth century" by legislators in Alabama and other southern states. Blackmon, who is white, suggests that Cottenham's only "criminal" offenses were being black and being visible. Blackmon's historical method of putting Green Cottenham's face to the chain gangs' past most directly supplements Lichtenstein's *Twice the Work of Free Labor* (1996). In the

preface to that book, Lichtenstein explains: “I mostly tell the story of the political, social, and economic forces that encouraged powerful whites to turn to forced black labor in an effort to exploit their region’s resources and bring its economy into the modern world. As a result, the convicts themselves generally remain in the background, victims of historical forces greater than their individual destinies.”<sup>57</sup> In a fascinating historical paradox, the convicts are rendered invisible by participating in the political spectacle of convict leasing.

Lichtenstein argues the chain gangs of the South in the early twentieth century “embodied the brutality of southern race relations, the repressive aspect of southern labor relations, and the moral and economic backwardness of the region in general.”<sup>58</sup> J. Thorsten Sellin claims chain gangs were “designed to exploit labor of the prisoners to produce maximum profits at minimum cost.” Like the men who managed the leased convicts of an earlier age—McBane’s contemporaneous analogues—the gun-toting, under-trained, poorly paid and occasionally drunk guardians of the chain gangs thwarted escape and oversaw road work with the help, according to Sellin, of “the lash and instruments of torture to discipline the laggard and the unruly.”<sup>59</sup> A comment reportedly from a southern delegate at the 1883 National Prison Association meeting that is now frequently quoted best reflects attitudes about the convict leasing system. The man supposedly told social worker Hasting Hart, “Before the war, we owned the negroes. If a man had a good negro, he could afford to keep him. . . . But these convicts, we don’t own ‘em. One dies, get another.”<sup>60</sup> This sense that black men had somehow lost rather than gained position when they moved from slaves to convicts—often as a result of convictions for laws that either did not apply or were not enforced for whites—creates a

situation that has erroneously led some writers to simply label convict labor and chain gangs “neo-slavery”—the simple reinstitution of a pre-Civil War labor model. But Mancini and others, including me, find this assessment too reductive. Ultimately, most historians who have studied the various iterations of convict labor, including Mancini and David Oshinsky, have concluded that it was, in fact, “worse than slavery.” Of course, such a claim certainly gets people’s attention and may very well be true, but its subjective nature makes it a less relevant point for our particular purposes. Rather, what is of importance in this characterization is how the convict lease and other forms of convict labor were and are *different from* slavery.

This conclusion is often reinforced by the relation of convict labor to the criminal justice system in the South, which has aptly been described by Peter Caster as a “defeat in detail” by heavily outnumbered whites faced with a burgeoning population of blacks who suddenly became free to vote, earn money, and gain power and standing after the Civil War. Caster explains: “Jim crow-era laws, through such ill-defined ‘crimes’ as mischief and loitering, effectively criminalized blackness.”<sup>61</sup> Quoting from proceedings of the National Prison Association, Caster carefully explains how southerners have throughout history worked backwards from race to arrive at their approaches to crime and incarceration.<sup>62</sup> In 1888, a South Carolina prison official declared prisons in his state were erected for the sole purpose of housing freed slaves: “After the emancipation of the colored people, whose idea of freedom from bondage was freedom from work and license to pillage, we had to establish means for their control. Hence came the penitentiary.”<sup>63</sup> In that same year, D.H. Dawson of Alabama reported that the 250 percent increase in mortality among black convicts was the result of their constitutional weaknesses.<sup>64</sup>

Nationally and even among some of the South's prison officials, many reformers in the nineteenth century agreed that criminality and imprisonment were not linked to bad character but rather to socioeconomic issues such as unemployment.<sup>65</sup>

If we accept Caster's view, we can better understand how a fundamental definition of "crime" shaped the legacy of convict leasing's "reform." It was at this historical moment, as Caster shows, that the definition of a criminal in America became codified in a counter-intuitive way by the National Prison Association.<sup>66</sup> A "criminal" is not someone who commits a crime—defined as an unlawful or immoral injury to another person. Rather, a person becomes a criminal "through declaration by the court; criminality is a determination by a judge or jury." Caster continues, "Criminalization is thus a jurisprudential process, not coincident with the commission of a crime but, rather, an effect of conviction."<sup>67</sup> For Caster, being a prisoner—and for our purposes, more generally a convict working on a chain gang—"is not determined through one's genealogy or culturally encoded behaviors, not necessarily written on the body or its willful performances. Imprisonment occurs through processes in which a subject's agency varies, from extensive, as in the conscious decision to commit a serious felony, to none at all, as in innocence or accident."<sup>68</sup> By extension, the kinds of codes and ordinances specifically written and selectively enforced against blacks in the South between the end of Reconstruction and the Civil Rights Era could easily fall into this latter category. That prisoners historically and currently in the United States have been disproportionately men of color is statistically undeniable.<sup>69</sup> Just as one example among many: There were 690 convicts in South Carolina in 1881. Of that number, 622 were black.<sup>70</sup> At the same time, Caster acknowledges but implicitly warns against the use of

prison as “a metaphor for the racial operation of power.”<sup>71</sup> Just as it is important for all of us to understand the oppressive prison-like nature of leasing convicts or chaining them together for public works projects both inside and outside the walls and perimeters of prison farms and penitentiaries.

### **Capt. George McBane: A Character and a Caricature to Contend With**

Chesnutt’s depiction of McBane in many ways serves as a literary metonym for convict labor practices in the South in the late nineteenth century. As Simmons points out, though McBane is more overtly violent than his fellow conspirators in the Big Three, it is his fellow white supremacists’ tactics and approach that “enables McBane’s violence; the latter is a function of the former.”<sup>72</sup> Every instance of McBane’s appearance in the novel fulfills two specific objectives. First, McBane provides us with a literary figure from the late nineteenth/early twentieth century that we can use to examine individual participants in the convict-lease system. Although convict labor is not central to the action of *Marrow* as it is in Chesnutt’s *The Colonel’s Dream* (1905),<sup>73</sup> McBane clues us into the level of education and poverty not only of many of the convicts on the chain gangs but also of the men who stood guard over them and handled the daily dirty work of making the machinery of the system go.

After all, whether McBane is a stereotype or a conflation of historical referents—South Carolina’s “one-eyed plowboy” politician Ben Tillman or Mike Dowling, the Irishman who headed the Wilmington’s vigilante group the Red Shirts, appear to be the most likely candidates—Chesnutt includes and reiterates McBane’s biographical detail of

convict labor in both obvious and subtle ways throughout the novel for a particular reason.<sup>74</sup> Chesnutt wishes to demonstrate just how central this connection to convict leasing is to white supremacy and how severely it undermines calls for southern progress and reform. Secondly, McBane alerts us to the subversive nature of Chesnutt's political commentary about convict labor. Chesnutt viewed the system as a form of racial and state violence, a quasi-legal way to create peons through a quick-and-dirty scheme void of due process. Convict leasing, in Chesnutt's view and the opinion of several current historians, allowed southern states to segregate blacks and whites in a manner that optimized the political life and standing of one group—whites—by treating the “so-called inferior” blacks “as internal enemies, who must be eliminated.”<sup>75</sup> As Mancini, Friedman and others have pointed out, the convict lease system allowed whites at all levels to do what they pleased with African American bodies: “the convict laborer might easily be worked to death, being consumed bodily so that white communal life may be enhanced.”<sup>76</sup> Although I believe Friedman overstates his case—after all whites still wanted and needed a large number of blacks to do both agrarian and modernizing jobs—the central tenet of Friedman's argument about political and social segregation remains credible.

For a number of reasons, white northerners—Chesnutt's target audience—either would have had little context for understanding these practices, despite the complicity of some through capital investment, or would have ignored these abuses as a result of their own views about race or region. It would be more than thirty years after the publication of *Marrow* before many white Americans outside the South were fully exposed to convict labor practices in the South, through the film *I Am a Fugitive from a Chain Gang* (1932).<sup>77</sup> For black southerners, though, the first-hand witnessing and second-hand telling

of the chain gang experience was commonplace. Historian Leon F. Litwack writes that blacks in towns got nervous at the sight of law enforcement officials, but “the not uncommon sight in the countryside of bloodhounds and posses tracking down black fugitives—many of them escapees from a peonage farm, a prison-labor camp, or a chain gang—brought a chilling terror and a renewed sense of vulnerability to black homes. The warning sounded by older residents echoed in the minds of young blacks: that white men with hounds and guns were not always overly particular about whom they caught in their manhunts. The object was to bring back a black body, not necessarily a guilty party.”<sup>78</sup> And black bodies—both made visible and effaced from southern society—are the objects most frequently in play when one looks closely at the history of southern convict labor.

In his reading of the chapter “A Journey Southward,” which consists of Dr. Miller’s return to Wellington from New York by train, Stephen Knadler quotes at length the narrator’s Chesnutt physical descriptions of Miller, who is of African descent, and his former teacher Dr. Burns, a specialist from Philadelphia who is white and happens to be going to Wellington to operate on the throat of Maj. Carteret’s infant son. In his description of Miller, the narrator points out various features of hair texture and skin color that reveal “what has been described in the laws of some states as a ‘visible admixture’ of African blood.”<sup>79</sup> As Knadler points out, Chesnutt deploys the language of comparative anthropology in this description that opens with the polemical statement: “A celebrated traveler, after many years spent in barbarous or savage lands, has said that among all varieties of mankind the similarities are vastly more important and fundamental than the differences.” Knadler goes on to suggest that Chesnutt’s use of comparative anthropology allows Chesnutt to remind his white audience “that their

objectivity is only an American, not a transhistorical or cross-cultural, outlook.”<sup>80</sup> The combination of Miller’s own perception of his skin color and the legal language that concludes the passage allows Chesnutt to imply that the presumption of race is a legal fiction. But McBane has an important role to play here as well. McBane’s “scornful glance” through his “single gray eye”—an image that evokes a vengeful rifleman taking aim at his enemy—is what actually triggers the legal apparatus that had been previously dormant as a result of the conductor’s assessment of the situation.

The central conflict in the scene develops when the train reaches Richmond, far south of the state line. The conductor, who had previously overlooked or failed to notice the “inter-racial” seating arrangement of Miller and Burns, has the situation called to his attention by “a well-known character of Wellington, with whom the reader has already made acquaintance in these pages.” Capt. McBane with his shirt unbuttoned and a “solitaire diamond blazed in his soiled shirt-front like the headlight of a locomotive,” casts a “scornful glance” with his “single gray eye” back toward Miller and then says something to the conductor that prompts the conductor to retrace his steps and apologize for having to “part *friends*” (Emphasis in text) by asking Miller to proceed to the colored car. The conductor explains that he is merely enforcing a state law that forbids “colored passengers” to ride in cars designated for whites, except in a servant’s role (34). In addition, however, we might notice how Chesnutt is positioning his white characters. When we juxtapose the narrator’s “cultural anthropology” with McBane’s own “admixture” of legal and social attitudes about race, we arrive at an awareness of McBane’s centrality to the tension of the scene.



Having traveled from the “freer North,” the conductor may not have even noticed that Miller and Burns were violating state law—or for that matter which state he was in and the nature of its laws. Or perhaps, he did not care. After all, enforcing the law places the conductor in a series of difficult situations with two men who are likely his socioeconomic superiors as well as customers he is supposed to serve. First, he feels compelled to threaten Miller with the hypothetical scenario of being “put off the train entirely, in the middle of a swamp.” Then, he finds himself in an even more precarious situation when Burns says that he intends to join Miller in the coloreds-only car. The conductor must thwart Burns’ attempt and play the fall for the narrator when he ironically states, “The beauty of the system lies in its strict impartiality—it applies to both races alike” (35-36). And even before the conductor can fall back and secure himself in this claim of legal impartiality, he must first go through the uncomfortable and awkward experience of “parting friends.” McBane’s insistence on reasserting the Jim Crow segregation laws of the South *in* the South however forces the conductor to reorient himself and reaffirm his superiority over Miller based solely on the two men’s tenuously constructed racial identities. McBane’s invocation of the law when it suits *his* purposes and subsequent decision to ignore it when it no longer suits him speaks to his ability to exploit the law while undermining “the beauty of the system” (36).

Such an attitude is consistent with a character associated with some of the hypocritical practices of the convict-lease system. At least in the case of Georgia in the 1860s, whites who committed misdemeanors could go free after they paid fines or had fines paid for them. On the other hand, blacks that could not pay their fine would wind up on their county’s chain gang or might be leased with the felony convicts.<sup>81</sup> Throughout

this scene, McBane is participating in a kind of racial constructivism that is crucial for him and his understanding of a society where he can thrive in spite of his crudity and lack of legitimate social standing. In these simple acts of casting his gaze and prompting the conductor to challenge Miller's right to ride in a particular train car, McBane animates the legal machinery that not only separates Miller from his "friend" but also unseats the doctor from his temporarily elevated position as someone equal to both a highly-respected white doctor and, in all likelihood superior to McBane himself. As philosopher Charles Mills might say: "under other circumstances, in other worlds, or even in our world at different times, different lines of demarcation could have been drawn."<sup>82</sup>

In fact, in the case of Dr. Miller, the line of demarcation was not so much the "color line" as it was the Virginia state line. And even then, race does not become a social reality in the scene until after McBane decides to assert his whiteness and bring the force of that state's separate-car law down on Miller and his former teacher Dr. Burns. Up to that point, Miller's racial identity as an African-American was a private matter, only of marginal interest to Burns and the conductor who seems content to delude himself into thinking that by vouching that Miller is "with him" (34), Burns means that Miller is his servant. McBane's desire and ability to police the racial makeup of the train car—only to subsequently thwart the separate car law by smoking a cigar in the "colored" car where Miller has been relegated to sit alone (36-37)—demonstrates his need to order people according to race. By smoking in Miller's new car, McBane shows a willingness to come into contact and mix with blacks in a way that undermines the purpose of the separate car law and other segregation initiatives. In general, some whites welcomed segregation while others "saw no need to complicate the business of everyday life with additional

distinctions between the races, no need to antagonize friendly and respectable blacks, no need to spend money on separate facilities, no need to risk bringing down Northern interference.”<sup>83</sup> But for McBane—whose social ambitions lead him to use a poker debt to seek membership in Wellington’s all-white elite Clarendon Club and who wishes to do his “‘colloquin’ wid de bes’ quality er dis town,’” (23) as Jerry the porter puts it—such distinctions and separation serve as necessary prerequisites for his personal climb from “the bottom rail” to the top of Wellington’s rickety ladder.

Chesnutt shows McBane to be the type of character who may have actually preferred the company of rough and tumble men regardless of their skin color and appearance, especially where riding the railroad was concerned. Travel complicated race relations, since members of both races had to use the same railroads, and, as Edward L. Ayers argues, “debates about race relations focused on the railroads of the New South.”<sup>84</sup> Yet McBane, who demands Miller’s removal and the enforcement of Virginia’s separate-car law, is every bit as comfortable and at home in the colored car as he is in the whites-only car. This ability to traffic between the two spaces and find comfort in both the “white” and “colored” train cars suggests two critical aspects about McBane’s racial identity and his uncertain claim of racial superiority. He feels comfortable in the black car because in this secured, policed environment McBane faces no threat to his safety from blacks that, for good reason, hate him. His presence in the car highlights his white privilege. At the same time, revelations about his comfort in the midst of African Americans, either in his role as a chain gang “Cap’n” or “Boss” or during his leisure time smoking a cigar against two rules of the coloreds-only car—could seriously damage his already sullied reputation. And in the nineteenth century, reputation had as much or more

to do with racial identity than biology and physiognomy. As Ariela Gross and Walter Johnson have demonstrated, race in the 1800s was often legally constructed and determined by juries who decided individual's racial identity on a mix of criteria and not strictly by visual inspection. They also relied heavily on a person's "character" and the feeling within the community as to whether someone is white or black was based on where they lived and with whom they chose to circulate and interact.<sup>85</sup> The changing demographics of Wilmington or, in the case of the novel, Wellington's community and the recent decline of McBane's political power as a result of the fusion government's ban on convict leasing have left McBane unable to use his position of authority over blacks to establish his own whiteness.

In light of these historical facts, we do well to understand how deeply McBane is invested in solidifying black criminality and fomenting racial disparity among the convicts he oversees. For what better way would there have been for him to establish his own white identity than by configuring the color line not as something ambiguous and juridical but rather according to the steely terms of an iron chain? With that figure firmly in place, McBane can maintain his whiteness simply by pointing out that he is not only unchained but he wields the authority to determine who remains in chains and, reiterating Friedman's reading of Foucault, ultimately "who lives and who dies." Consequently, McBane's loss of the lease as a result of political reform coupled with the resulting ability of African Americans to obtain police powers—either as justices of the peace, judges, lawyers, or police officers—severely threatens not only McBane's livelihood and standing but also his undeniable claim to whiteness.

Such a threat is sufficient to draw McBane into the center of the novel's action even before his encounter with Miller on the southbound train. Shortly after the novel opens with the birth of Carteret's son and his Christening, the action shifts to the offices of the *Morning Chronicle* and a crucial first meeting of the Big Three conspirators—Carteret, Belmont, and McBane. In this meeting, two explicit references are made to convict labor and chain gangs—the first in a comment by Gen. Belmont and the second by the narrator with regard to Capt. McBane, “whose captaincy, by the way, was merely a polite fiction” (22). Even though Gen. Belmont and not McBane mentions convict labor, the comment would have weighed heavily in McBane's ears and undoubtedly stirred his own concerns about race and the exercise of power in the city. Belmont implores Carteret to take seriously what he views as the “awful condition” that Wellington finds itself: “Coming down the street just now, I saw a spectacle of social equality and negro domination that made my blood boil with indignation, —a white and a black convict, chained together, crossing the city in charge of a negro officer! We cannot stand that sort of thing, Carteret, —it is the last straw!” (21)<sup>86</sup> This comment by Belmont is significant for the way it operates on multiple planes of assessment with regard to Wellington's race and class relations. The “spectacle of social equality” that leaves Belmont aghast is somewhat confusing. What seems likely is that two aspects of this scene appall him. The most obvious element involves the “negro domination” of allowing a black officer to order around a white man, regardless of his character or circumstances, at the end of a gun. The less clear aspect of Belmont's comment revolves around social equality. Are we to read that the two chained men are equal or that the negro officer is on equal footing with the white convict since he is able to exercise power over the white

convict in spite of a racial hierarchy that dictates the white man's superiority in all cases and at all times?

Such a reading allows us to extend the work of Bryan Wagner who argues that the rise of the Wilmington's African American middle class changed the "visual field" for the city's white residents by changing the port city's architecture, the racial makeup of its neighborhoods, and the nature of daily interactions and transactions. In *Marrow*, "white characters experience these changes as visible threats to their identity" that leave them "[a]nxious and disoriented." Wagner goes on to argue that these changes in the relative position of African Americans to whites in the city threatened more than white political power and economic standing. "Ultimately," Wagner argues, "racial violence in the South can be understood as an attempt to repair the damaged epistemology of white supremacy." Consequently, *Marrow* ends with a mob of whites—stand-ins for Wilmington's Red Shirts and other sanctioned and unsanctioned militia—"taking to the streets, rifles in hand, in a hysterical attempt to make the African American middle class disappear."<sup>87</sup>

With this scene narrated by Belmont, Chesnutt illustrates the power—both economic and political—that blacks gained and wielded in Wilmington for several years leading up to 1898. And while manifestations of power are illustrated in various forms throughout the novel, this example of police power is hyperbolically declared "the last straw" and Belmont's agitation over it—which leads him to emphatically announce: "Something must be done, and that quickly!" (21) —thrills the major. Carteret decides then and there that there is "something prophetic in this opportune visit. The matter was not only in his own thoughts, but in the air; it was the spontaneous revulsion of white

men against the rule of an inferior race. These were the very men, above all others in the town, to join him in a movement to change these degrading conditions” (21).

But as Wagner has shown us, the idea of a prophetic visit and an instantaneous realization of the need to respond to the increase in African American power and position in Wellington, as a stand-in for Wilmington, was not historical fact. Rather, Belmont’s blood is boiling over what he at one time probably viewed as an impossibility—the restructuring of police authority and criminality that results first in the equivocation of a white man with a black man under the shared rubric of “criminal” or convict and secondly the ability of a black man to regulate the activities and restrict the mobility and freedom of a white man in plain view all over the city. For Belmont, therein lies the “spectacle of social equality” that threatens his hierarchical view of race. While Belmont is responding explicitly to visual evidence of the changing power dynamics in Wellington, the narrator provides background about McBane that combines his baleful character and his political pragmatism:

He had held, until recently, as the reward of questionable political services, a contract with the State for its convict labor, from which in a few years he had realized a fortune. But the methods which made his contract profitable had not commended themselves to humane people, and charges of cruelty and worse had preferred against him. He was rich enough to escape serious consequences from the investigation which followed, but when the Fusion ticket carried the state he lost his contract, and the system of convict labor was abolished. Since then McBane had devoted himself to politics: he was ambitious for greater wealth, for office, and for social recognition. (22)

In many ways, McBane’s political and financial fortunes with convict leasing anticipates the fate of his character. The disproportion of African Americans affected by the “cruelty and worse” of abuses of the convict-lease system are represented in the massiveness of

Josh Green. With that relationship in mind, I would like to turn our attention to the climactic scene that I began with at the outset of this chapter.

Green has been biding his time until he can bring revenge upon McBane for a separate grievance, the murder of his father by Klansmen led by McBane during Green's childhood. And while the moment seems to present itself in the swirl of violence surrounding the massacre taking place on Election Day in Wellington, Chesnutt initially pacifies Green, describing his plan "merely to remain quietly and peaceably in the neighborhood of the little group of public institutions, molesting no one, unless first attacked, and merely letting the white people see that they meant to protect their own" (194). As he did earlier in a less violent and perhaps more symbolic manner on the southbound train, McBane once again invokes the law and the specific legal practice of convict labor in his attempt to prevent an all-out pitched battle. He calls out loudly, "you niggers are courtin' death, an' you won't have to court her but a minute er two mo' befo' she'll have you. If you surrender and give up your arms, you'll be dealt with leniently,—you may get off with the chain-gang or the penitentiary. If you resist, you'll be shot like dogs" (195). Of course what we know and McBane and Green know all too well is that leniency and "the chain-gang or the penitentiary" are mutually exclusive terms and the prospect of being "shot like dogs" or experiencing some other as-yet known atrocity at the hands of the penal system and convict labor likely appear one-in-the-same to Josh and his men. Before Green and his men have the opportunity to give up or respond to McBane's threats, a shot rings out from an unnamed member of the mob and splinters the window casing near Josh's head. The battle is on.



Despite his plan to the contrary, Green has realized his opportunity at revenge and is able to shift from victimized and helpless child to militant hero. Green's culminating battle with McBane can be read as a replacement for a violent uprising against the oppressiveness and violence inherent in convict leasing that never actually took place. As the battle in Wellington rages, the white mob brings hay, kerosene, and wood from a pile in a nearby lot and sets the hospital ablaze in a scene that Wagner suggest refers to multiple burnings over the years of buildings in Wilmington's Campbell Square, where several important buildings in the African American community were built. Among the modern buildings in Campbell Square was a school that was burned multiple times in the 1880s and 1890s in at least one clear case of arson.<sup>88</sup>

Throughout the burning of Miller's hospital and the fight, McBane has remained as the only representative of the "revolutionary committee." And he is among the white mob "not with any purpose to restore or preserve order, but because he found the company and the occasion entirely congenial. He had had no opportunity, at least no tenable excuse, to kill or maim a negro since the termination of his contract with the state for convicts, and this occasion had awakened a dormant appetite for his diversions" (196-197). As the flames grow higher and the inevitable outcome of the battle becomes obvious, Green emerges as a soldier "with a huge bowie-knife, a relic of the civil war, which he had carried on his person for many years for a definite purpose, and which he had kept sharpened to a razor's edge." As Green reaches the crowd, almost everyone retreats except McBane, who "stood waiting to meet him" (200). Green and McBane kill one another and the narrator poses a riddle: "One of the two died as the fool dieth. Which was it, or was it both?" In a rare moment of explicit commentary about convict leasing,

the narrator concludes: “McBane’s death was merciful, compared with the nameless horrors he had heaped upon the hundreds of helpless mortals who had fallen into his hands during his career as a contractor of convict labor.” Ultimately, the battle of Josh Green and Capt. McBane allows Chesnutt to do in fiction what was not done in fact—to literally kill one of the darkest vestiges of southern penal history and praxis.

Receiving a lukewarm response from critics upon release and a cold, indifferent or even angry one from general readers, *Marrow* passes through more than a century into our hands as a powerful text not because it provides an accurate snapshot that recovers the events in Wilmington but rather because it powerfully depicts the political and social conditions of fictional Wellington.<sup>89</sup> This depiction then serves as a heuristic tool for both historical and contemporary lessons about the South. In other words, this novel that in the late 1970s read to William Andrews “like a period piece and, in some respects, not too great a compliment to its literary period” holds much greater value when read, as Ryan Simmons has suggested more recently, as a work of realism that figures essential truths about race—and I would add class—in the South since Reconstruction.<sup>90</sup>

Along the critical timeline between Andrews and more recent work like that of Simmons, Matthew Wilson, and Dean McWilliams, we encounter well-documented and successful attempts by Richard Brodhead, Eric Sundquist, and others to bridge conversations about Chesnutt’s reception, intellectual and personal life, and the history that influenced his writing with more specific discussions about the operation of language and the challenges of articulating the problems of race and injustice that Chesnutt sought to expose.<sup>91</sup> Noting the inherent risk involved in writing a social-problem novel about

race and politics, Andrews himself yields that *Marrow* should not be read for its literariness or noted for its reception but rather reading the novel “in the contexts of its creator’s career and the larger social and literary milieu leaves one finally with an appreciation of how ambitious in form and purpose Chesnutt’s second novel was.”<sup>92</sup> In the words of Jae Roe, the novel “revises official history and envisions a collective consciousness that would make concrete collective resistance possible.”<sup>93</sup> And even if Chesnutt could not imagine the actual restructuring of the South’s social and political systems when he wrote the novel, “the anguished self-criticism with which he thematizes the limitations and futility of his own literary project suggests his desire for such collective action, his passionate commitment to the seemingly hopeless cause of his people.”<sup>94</sup> Ultimately, *Marrow* resonates with today’s race-thinking by dramatizing the deadly nature of the racial and class conflict that resulted in the 1898 Wilmington Race Riot and properly revisiting the various historical elements of the novel, such as McBane’s relationship to the convict-leasing system, unearths the structures and impact of that critical November day.

## Chapter Two

### **“Rotten Bricks” and the “Boys” from Willie Stark’s Highway Department: Linking *All the King’s Men* to the Legacy of Southern Chain Gangs**

And all times are one time, and all those dead in the past never lived before our definition gives them life, and out of the shadow their eyes implore us.

That is what all of us historical researchers believe.  
And we love truth. (342)

- Robert Penn Warren, *All the King’s Men* (1946)

From the outset, Robert Penn Warren’s *All the King’s Men* (1946) foregrounds how vexing issues surrounding race can entrance southerners. In the opening scene of the novel, Warren uses heat as a catalyst to hypnotize the novel’s narrator, Jack Burden, through the visual interplay of the fresh black line over the clean white slab of Highway 58. After the hypnotism takes effect, Burden warns both the reader and himself that “you’ll come to just at the moment when the right front wheel hooks over into the black dirt shoulder off the slab” and you will try in vain “to jerk her back.” But Burden’s and the reader’s respective failures to get back on the road will result in wreckage and death when the car explodes, much to the amusement of “a nigger chopping cotton a mile away” who sees the black smoke. The field hand will remark, “Lawd God, hit’s a-nudder one done done hit!” Then, he and the field worker next to him in the “vitriolic, arsenical green of the cotton rows” will raise their hoes and allow them to flash “in the sun like a heliograph.” In this instant, the field workers will not just look like angels of death; they will deliver a dark message with the aid of the bright, burning sun.<sup>1</sup> And “[a] few days later, the boys from the Highway Department” will mark the spot with a roadside marker consisting of a black “skull and crossbones” that will eventually become overgrown by “love vines” that

“climb up it, out of the weeds” (1-2).<sup>2</sup>

Ultimately, the explosion of Burden’s car stands in for the violence that accompanies racial tension in America. Moreover, the climbing love vines that hide his state-sponsored headstone come to represent those who have died and been forgotten in this struggle and the forgotten or ignored history of the roots of that violence—including the role of the state itself. As I explain in this chapter, part of any ongoing historical recovery project concerning the South should include a consideration of convict labor. The coupling of *All the King’s Men* with convict labor’s history between Reconstruction and World War II articulates that system’s debt to southern progressivism and reveals its controversial relation to the emergence of the New South, particularly the political processes that went into making chain gangs such a key component of racial tension, violence, and segregation. Warren’s rendering of the violent scene above, self-consciously wrought in black-and-white, alludes to the racial conflicts in play throughout the novel. Surprisingly, however, it is the omission of race that has more commonly struck Warren’s readers. In an essay that also engages this scene, for example, Forrest G. Robinson argues that Warren and his narrator operate in “bad faith” with regard to the entire issue of race in the South. Robinson claims Warren and Burden sidestep the South’s race problem and its profound effect on the period in question. My reading of the novel counters this claim by demonstrating that race, when understood as a key element of the political narrative, plays an important role in the text.<sup>3</sup>

Robinson argues, in essence, that Warren’s decision to frame the novel as a story of white commoners in political struggle with white elites leaves out the existence of “the race problem” in a novel about southern politics. As Robinson concludes, this is “an extraordinary omission in a novel about Southern political life, especially one featuring the Cass Mastern story.”<sup>4</sup> Through

an extended reading of the Cass Mastern material—Burden’s unfinished history dissertation<sup>5</sup>—Robinson indicts Warren and his narrator Jack Burden for demonstrating “bad faith” on questions related to race-slavery, because the author and his narrator participate in “a collaborative denial that bears with it the clear implication that people will sometimes permit or acquiesce in what they cannot approve, so long as their complicity is submerged in a larger, tacit consensus.”<sup>6</sup> Robinson argues that Warren’s novel suffers because in it “the impulse to address racism and slavery is virtually always found in tandem with an impulse to sweep them from sight and mind.”<sup>7</sup> But by complaining that the race problem in *All the King’s Men* is restricted to its treatment of slavery, Robinson overlooks other relevant ways into the novel’s discussion of the race problem. To that end, we should be looking at chain gangs and how the institution of convict labor operates in the novel. It is there where we will find that Warren uses convict labor, albeit sometimes unconsciously, to raise important issues of race politics and racial identity.

As one of many examples, we might consider some of the details involving the Highway Department that sees to it that Burden gets a proper burial. First, for historians, the ambiguous term “boys” (from the Department) might well register as a motley crew of mainly black convicts alongside the same “[f]riends, red-necks, suckers, and fellow hicks” (142) who propel Warren’s protagonist, Willie Stark, to the Governor’s Mansion. As readers of the novel will recall, the Highway Department that erects the soon-forgotten reminder of this incident is at one point under the careful, guiding hand of political operative Tiny Duffy before he becomes Willie Stark’s lieutenant governor and eventually succeeds Willie as governor. As I will go on to show, Duffy serves as Highway Commissioner during the critical beginning stages of Stark’s first administration not just because he has to make his bones, but also because he understands the often-ugly political mechanics of improving southern roads in the early twentieth century.

Specifically, Duffy would have most likely used black convicts in the brutally hot sun for road construction. So in his role as state Highway Commissioner, Duffy would have propagated not just Stark's populist agenda of progress but also the uniquely *southern* version of progressivism that allowed convict labor and chain gangs to help white elites progress while restricting black mobility.

As we shall see, similar depictions of and allusions to convict labor in *All the King's Men* are subtle and at times only implied. However, this subtlety resonates with the way convict labor functioned beneath the surface of the southern society itself and behind the scenes of the political processes that *All the King's Men* depicts. In other words, the text mirrors the historical context: in both, convict labor exists beneath the surface, an unacknowledged but shaping presence. To be sure, like the hoe-turned-heliograph imaged in the novel's opening scene, the appearances of and oblique references to convict labor in Warren's novel do not illustrate the various experiences of the hundred thousand or more convicts who confronted the chain gang's baleful conditions. Unlike many other American texts, this is not a novel *about* convict labor. Rather, convict labor functions in *All the King's Men* to remind us how a particular economic system operated within the larger judicial and political system wrought by Willie Stark's agenda. Indeed, even if explicit references to chain gangs in the novel are rare, we also know that convict labor played a crucial role in advancing Stark's career, just as it did the policies of the numerous southern governors and demagogues who serve as historical templates for Warren's protagonist.<sup>8</sup> *All the King's Men* also offers up for examination a particular timeline and trajectory consistent with the larger historical project of understanding southern progress described by recent historiography: a powerful combination of politics, policy-making, and the law. Additionally, Warren's own understanding and lifelong engagement with southern history, particularly on matters of race,

invites us to connect politics and the law in *All the King's Men* with the idea that the southern chain gang participated in many of the damaging elements of segregation—resulting in what I call racial *invisibility*.

As elsewhere in this dissertation, racial *invisibility* connotes two different, though complementary notions. The term is meant to stand in opposition to the more common way the issue of race in the South is often linked to obvious visible tensions, or spectacles such as lynching, Klan rallies, race “riots” or massacres, or even admittedly less dramatic visual evidence of this tension such as Jim Crow signage in public spaces. By *invisibility* I refer to the decision of southern whites that became threatened when blacks gained social, economic, and especially political mobility during and just after Reconstruction to use chain gangs to restrict such mobility. Sometimes these restrictions involved intimidation or other informal methods. But at other times these restrictions were formal and legislative, such as when black criminality was used first as an argument for disenfranchisement and then, after blacks regained the right to vote, convictions effectively kept large numbers of blacks away from the ballot box.

Moreover, unlike the spectacles mentioned above, the chain gang rendered convicts, disproportionately black men, invisible in two different ways. First, sentencing these men and even women to the chain gang might result in their complete physical removal to backwoods or far-away labor camps or undeveloped road or rail beds. Secondly, these convicts could find themselves working on roadsides or downtown streets in clear view of the public. While the idea that the former set of circumstances—sending them out into the woods or back onto large plantations—would render convicts invisible is clear, the latter’s relationship to invisibility may be less obvious. But presenting chain gangs to the public for consumption reinstates the visual trappings of slavery and leaves the convicts on the chain gang simultaneously removed from the



political and social sphere, so made invisible in that sense. Consequently, the convicts under this second scenario effectively blend into the southern landscape by means of this reiteration of a familiar scene of a gone but not forgotten and, perhaps, highly sought after past. In essence, the chain gang removed thousands upon thousands of blacks from the political process and society during a critical time of change and transition for the region, severely inhibiting their ability to influence these changes.

### **“Fresh Air and Sunshine”: The Good Roads Movement Argues the Case for Chain Gangs**

Since its publication, *All the King's Men* has been read as a veiled fictionalization of the life of Huey P. Long of Louisiana, a populist governor and U.S. senator who was assassinated on the steps of the state Capitol in 1935. Cushing Strout, for one, summarizes the plot of *All the King's Men* as “remarkably faithful to the larger pattern of Huey Long’s life.”<sup>9</sup> Yet strictly speaking, neither Strout nor any other critic in at least fifty years has read the novel on such straightforward terms, and, as Carl Freedman argues, “certainly, no one with a detailed knowledge of Long’s career could mistake *All the King's Men* for a roman à clef.”<sup>10</sup> For our purposes, it makes sense to agree with Howard Woodell’s conclusion that even though “*All the King's Men* is not finally about the specifics of the Long regime, it would be fair to say that the novel could not have been written in its present form had Warren not lived and worked in Louisiana during the turbulent years that saw Huey Long at the height of his power and at the time when an assassin’s bullet ended Long’s career as one of the most unusual figures in American politics.”<sup>11</sup> As Strout goes on to argue, *All the King's Men* “also realistically comprehends the social divisions within Louisiana—the gap between the Delta gentry and the

hill folk.”<sup>12</sup> But this framing is too simplistic for such an ornate and complex novel and writer. A committed intellectual and southerner, Warren struggled with the race problem throughout his incredibly long, productive, and diverse career, and not just in texts with more obvious and overt racial content.<sup>13</sup> And yet, for an historical novel, *All the King's Men* has often inspired readings that fail to take seriously the specificity with which it engages that history. In recent years, Warren's most celebrated and cited critics have concerned themselves instead with how Warren engages with abstract thematic or moral quandaries.<sup>14</sup> John Burt, for example, explores the various American value systems that Warren's writings critique. Burt explains that his study "attempt[s] to follow Warren's lead" by looking at history "not as a matter of conflicting forces capable of being mastered in terms of per capita income and tons of pig iron produced but instead as a matter of conflicting habits of thought and socially entangled moral cruxes" (16). But I want to suggest that we can reconcile these disparate approaches to history—the hard to get at “habits of thought” and the discoverable raw data—without necessarily privileging one over the other.

The material history of southern convict labor affected the South and dictated Warren's attitudes about southern history, culture and politics in ways that even he could not fully grasp. The exploitation of black convict labor that had proliferated under state power resulted in a form of segregation that impeded southern progressivism and race relations for most of the twentieth century. Yet despite current evidence to the contrary, southern chain gangs were initially viewed as a progressive way to bring the South into the twentieth century. As Alex Lichtenstein demonstrates, “[t]he chain gang of mostly black convicts working the roads of the Deep South came to exemplify ... the moral and economic backwardness of the region in general. But when it originated, the penal road gang was regarded as a quintessential southern Progressive reform.

Its advocates promoted this reform as the embodiment of penal humanitarianism, state-sponsored economic modernization and efficiency, and racial moderation.”<sup>15</sup> Lichtenstein’s work on the political economy of convict labor suggests the confluence of factors that led southerners to abandon convict leasing in favor of county chain gangs more than a century ago: continued opposition to convict leasing, the challenges faced by a white minority attempting to control the region’s large black majority after Reconstruction, and the seemingly never-ending need to improve southern roads. At that time, women’s clubs, members of the white and black press, and other reformers had been appalled by the abuses of the late-nineteenth-century convict leasing system, such as uninvestigated murders and genocide, filthy food and other unsanitary conditions, the use of the sweatbox for discipline, and the widespread practice of literally working convicts to death.

Organized labor had similarly been concerned about job competition from the cheap labor of leased convicts. And the statute labor system that extended back to colonial times, and that had required citizens themselves to perform roadwork, was now seen as failing miserably to keep up with cries for modernization. All of these groups thus turned to county chain gangs to solve the problem of southern roads, hoping to modernize at a critical moment in the nation’s and the region’s history.<sup>16</sup> Many reformers believed that the convict leasing system had become so fraught with abuses that giving the government more direct control over convict labor would improve these conditions, and, even if it did not, at least the public would be able to harness the fruits of that labor. As it would for decades to come, the ostensibly ideal solution led to the widespread incarceration of men of color.<sup>17</sup> The resulting system of segregation would simultaneously be *de jure*—reliant on the operations of judicial systems—and yet seem, to many citizens, simply *de facto*, a mere coincidence and byproduct of larger forces.

Opposition to the convict lease dated almost from its beginnings immediately following the Civil War. Unlike today, however, arguments for the county chain gang in the early twentieth century South were rarely framed within a “lesser of two evils” rationale that used convict leasing as a brutal reference point of a bygone era. Rather, the use of convicts for the “public good” of improving roads became something of a public relations coup, as the Good Roads Movement became known for taking prisoners out of their cells and factories and mines and providing them with “fresh air and sunshine.”<sup>18</sup> However, in spite of the apparent benefits such outdoor activities might afford all convicts, Georgia still remanded white prisoners to a central prison and placed blacks in chains to work them on public roads, because their “moral standard[s] [were] not lowered by this form of publicity.” Southern white Progressives viewed the abolition of the convict lease and the implementation of the county chain gang as an example of “reform” akin to disfranchisement and segregation—which, according to their white advocates, were intended to improve southern race relations by protecting blacks from “moral and physical reversion” since whites still regarded them as a “childlike” and “inferior race.”<sup>19</sup>

Almost immediately after the Civil War to the end of Reconstruction in 1877, blacks in the South had become the region’s “criminal class.” And as such, by the early twentieth century, white Progressives would argue: “the chain gang ... could operate as a form of state-sponsored *noblesse oblige*. Just as the vicious and arbitrary mob would be replaced by the strong but fair arm of the law, the greed of convict lessees would be supplanted by the reformatory power and interest of the state.” And one northern penal reformer in a telling rehearsal of pro-slavery arguments claimed, “the convict on the road is the slave of the state,” and, like all slaves, would labor “faithfully for kind masters,” he believed.”<sup>20</sup> The implication was that convict lessees had been too driven by profit and expedience to pay much mind to the well-being of

convicts, but the state would understand its obligation “simultaneously to constrain and uplift the black race.” Unfortunately for these convicts and the South in general, the state, like its leasing predecessors, too often ignored the pain and suffering of convict laborers.<sup>21</sup>

In turn, the adoption of county chain gangs, with their predominantly black racial composition, represents just one key moment in the complex and problematic history of southern road building and maintenance. Coincidentally, as Howard Preston points out, controversies surrounding race or, more accurately, slavery, had hindered the improvement of southern roads long before the arrival of the chain gang. By 1823, Congress had agreed to fund about a dozen post roads in the South, which would aid overland mail delivery and help whites settle the region. However, just before the Civil War and immediately thereafter, federal money for roads disappeared across the country and the nation’s roads “especially those in the defeated South—went from bad to worse.”<sup>22</sup> Throughout the early nineteenth century, the United States had failed to develop a network of public highways to connect individual states. And as Preston explains, this failure to develop a highway system stemmed from a fundamental difference in thinking about the way the federal government should operate. In particular, southerners, “who called for a traditional reading of the Constitution when it came to the question of slavery, applied the same reasoning to the issue of internal improvements. Any effort on the part of Washington to appropriate money for internal improvements, they held, usurped the rights of the states and violated the Constitution.”<sup>23</sup> As a result of this combination of political differences and resource scarcity, nearly eighty years would pass with little progress for the nation’s public roads. In the meantime, picking up on a tradition dating to the 1700s, each of the 11 former Confederate states had some kind of law that required citizens to work on the roads, in some instances for up to 10 days out of the year.<sup>24</sup>

However, as it became more and more obvious to county and state leaders that patchwork patching crews and road builders were not the way to go and as opposition to the convict-leasing system grew, these officials turned to the readily available and inexpensive labor of convicts. Even though their intentions had little to do with preventing the exploitation or abuse of convicts, Govs. James Vardaman of Mississippi and Hoke Smith of Georgia, for example, were instrumental in abolishing the convict lease in their respective states. Reacting to fallout from the 1906 Atlanta race riot, Smith included the abolition among other policies such as disfranchisement and segregation, considered “reforms” because white Georgians believed that providing blacks with the ability to vote and mix with whites was leading blacks to be exploited by opportunistic politicians. For his part, Vardaman challenged a “bitter political enemy”<sup>25</sup> who held a large convict lease with the state and the feud, which made it to the state’s Supreme Court, eventually spurred the state legislature to act and eliminate private leasing of convicts in 1906.<sup>26</sup> Across the region, pressure from organized labor concerned about the loss of jobs to convicts, reformers and philanthropists worried about the abhorrent conditions of convict labor camps, and advocates of the Good Roads Movement led Georgia, Mississippi, and other states to take back control of convict laborers and to stop providing the multi-year leases that had been prevalent during the late nineteenth century. Different states employed their convicts to different ends. Mississippi, for example, mainly used convicts as field hands on the state’s Parchman Farm, while Georgia and North Carolina put their convicts to work on the roads. And although it is difficult to know, it appears easy enough to argue that what resulted was a kind of self-fulfilling prophecy when it came to black criminality and local law enforcement in these states. For example, after 1908 Georgia chain gangs “had their origins in [an] archipelago of misdemeanor convict camps, which numbered over fifty by the turn of the century.”<sup>27</sup> Convicts in the camps

served “between thirty days and one year for petty crimes such as gambling, carrying a concealed weapon, drunkenness, fighting, disorderly conduct, loitering, and vagrancy.” One of these camps—the road camp in Bibb County, Georgia—in the month of March 1904 received 124 men and 25 women, including two among their ranks convicted of “throwing rocks” and one who had been convicted of something called “suspect loitering.” The convicts sentenced during this month alone eventually provided a total of 6,751 days of labor.<sup>28</sup>

By 1910, every southern state legislature had ruled that county and municipal governments could use incarcerated convicts to build and maintain roads in their jurisdiction. Throughout the South, convicts handled the bulk of roadwork before 1910 and their role in building and maintaining roads continued well into the century. The early twentieth century in Louisiana and elsewhere witnessed the completion of a transition from convict leasing for private interests to the employment of convicts for the “public good.” By 1905, whether crushing rocks and making tiles needed to build roads in Illinois, building provincial roads in the Philippines, or anchored by “a ball and chain when so working” in Kentucky, 42 of the states and territories had maintained laws that either “commanded or permitted” the use of convicts to build or maintain highways, bridges, or roads.”<sup>29</sup> And although the practice was permitted nationally, perhaps more important for our purposes, it was most extensively used in the South and has come to be affiliated with and represented in southern culture. From its earliest days in the 1890s, advocates for what became known as the Good Roads Movement in the South realized that dramatically expanding the region’s highway system would require a massive and hardworking labor force that the inefficient and unenforceable statute labor system which required citizens to do the work simply could not provide. And with the fields of civil engineering and road building in their earliest forms, led by men Lichtenstein refers to as “a new

class of southern technocrats ... who wanted to apply their expertise to the modernization of the South's economy,"<sup>30</sup> the option of private labor contracting really had not surfaced. Joseph A. Holmes, one of the first directors of the North Carolina Good Roads Association (NCGRA), wrote to the director of the US Office of Public Road Information that the statute system that required free men to work the roads needed to be abandoned in favor of a system that increased cash taxation and recognized "the use of convict labor in road building as [an] essential feature of any system for the improvement of public roads."<sup>31</sup>

Ultimately, the Good Roads Movement that Holmes and other advocates sought was intended to provide farm-to-market roads and to improve access to education by allowing white and black children in rural areas to easily travel to centralized schoolhouses in more populated areas, both top items on the political agenda of true southern progressives interested in the uplift of all of the region's residents regardless of race. In the end, though, as Preston argues, the movement missed its mark and instead created a system of highways that mainly moved tourists from the Midwest and North to vacation destinations such as Pinehurst, North Carolina, and Miami Beach, Florida. Articles from the 1910s and 1920s in magazines such as *Motor Travel* and *Travel* as well as *Harper's Weekly* and the *Saturday Evening Post* promoted motor travel in the South, touting the region as "The Land of Perpetual Sunshine." One article described a road through Georgia that passed "through charming practically unknown country where the sleepy donkey and the equally lazy negro eke out an existence as picturesque and as primitive as that bequeathed to them by the early Jesuits."<sup>32</sup>

However, in the case of Louisiana, the backdrop of *All the King's Men*, building "good roads" became the linchpin of Huey Long's power. The state penitentiary at Angola remains among the nation's most famous and largest prisons and continues to operate a large farm and



factory operation, but the state's approach to incarceration has not run exclusively on this model.<sup>33</sup> Under Long in particular, the use of convicts to build roads, bridges and highways flourished and, unlike the scenario outlined by Preston, these projects appear to have been intended to do much more than get tourists conveniently through the state. On February 2, 1929, the New Orleans *Times-Picayune* reported Dr. Walter W. Fife's attempt to get a reprieve from Gov. Huey Long for a misdemeanor charge of practicing medicine in Shreveport without a certificate from the State Board of Medical Examiners. Adding a literary element to the historical record, Dr. Fife, a chiropractor, was hoping to avoid not only a \$100 fine but also 60 days of backbreaking work on the Caddo Parish chain gang.<sup>34</sup> Two years later in 1931, at the height of Long's power, Louisiana employed more men on roadwork than any other state—ten percent of all the nation's highway workers. In that same year, Highway Commissioner and future Gov. O.K. Allen—the likely historical antecedent for Tiny Duffy—oversaw the awarding of more than \$5 million in bids to build roads and bridges, including the payment of \$200,000 from the Highway Department to the state penitentiary for the services of convict laborers to build farm roads in four parishes.<sup>35</sup>

Such projects represented a longstanding tradition in the state that continues to this day. Louisiana has been using convict labor since Emancipation for everything from road building across the state and farming at the prison in Angola to childcare in the Governor's mansion.<sup>36</sup> By 1909, Louisiana Gov. Jared Y. Sanders had persuaded prison officials to create a network of labor camps throughout the state, with 24 convicts sentenced to live in each camp and work on the roads in the surrounding areas. Sanders would begin the governmental work that would come to fruition under Long who, two decades later, would tell a journalist from outside Louisiana that conservatives who opposed his agenda and thought it was "evil" and wrong "would have to blow

up the roads” to undo the work of his administration.<sup>37</sup> Long may have claimed the credit and “remains perhaps best known as the man who paved Louisiana,”<sup>38</sup> but, of course, the particular stories of the real men who paved the state have been lost to history. (Even if their trials made it into the record, their individual tribulations are rarely cited).

### **Bridging the Works: Willie’s, Huey’s and Warren’s Convict Laborers**

Two photographs in an unabridged republication of Huey Long’s 1933 autobiography *Every Man a King* tell the story of Louisiana chain gangs and convict labor in a manner similar to the way this history both informs and is obscured in *All the King’s Men*.<sup>39</sup> Much like the 1909 photograph of an Alabama chain gang discussed in my Introduction, these two photographs demonstrate the first of the two forms of racial *invisibility* discussed earlier. The first grainy photograph, “Main Highway, Leesville to Alexandria Before Days of Long,” shows a long washed-out arrow-straight road with bone-dry ruts zigzagging across its surface. Framed by the naked and barren lower sections of pines, the view of the road terminates with a slight hill and a blurred merger of road, horizon and distant trees. Flipping to the other side of the sheet reveals “Same Leesville to Alexandria Highway as Built by Long Administration.” The view is considerably more inviting. Shot vertically, the photograph shows a freshly paved highway that opens out to a clear sky. The composition provides sufficient headroom for the flourishing evergreens and captures the full length of the Louisiana pine trees. Between shadows cast by the trees a placard marks the site with the number 303, a designation perhaps left to instruct the Highway Department’s photographer where to shoot but, for our purposes, akin to a crime scene marker. In contrast to the busy-ness and business of the Birmingham photo referenced in my

Introduction and apart from this marker—either on the road or on the archival photo—there are no people in either photograph. But between the highway “before the days of Long” and the aftermath there exists long days of roadwork.

At present, we cannot know who did the work on this exact project. However, in all likelihood the “boys” from the Highway Department consisted of convicts like those I have described above.<sup>40</sup> Yet these two photographs demonstrate the removal of chain gangs and convict laborers from our visual field—a vanishing act remarkable not just due to the number of black men and women eliminated in the trick but also in the way that it echoes with Jack Burden’s, and indeed Warren’s own, ideological denials and deeply-coded confessions. As Toni Morrison has suggested, the contemplation of black presence can seem to disappear while it continues to “hover at the margins of the literary imagination.”<sup>41</sup> A good example of this complex hovering appears in *All the King’s Men* near the end of a press photo op at Willie Stark’s humble family farm and boyhood home. Burden, the former journalist serving as Willie’s closest advisor, sneaks off to the edge of a pasture where he leans up against a fence to have a drink and breathe in “that dry, clean ammoniac smell you get around stables at sunset on a summer day” (44).

Then, Burden embarks in this moment on a metaphysical excursion he and many of his interpreters label his doctrine of “Idealism.” Burden decides that if he is needed someone will come for him, and he begins to think about plans for the evening ahead—how the reporters and the photographers and Sadie, another advisor, will return to the city and exactly where “Mr. Duffy” and he will “put up” for the night. Burden takes a drink and returns the bottle to his pocket and goes back to leaning on the fence:

I heard somebody open and shut the gate to the barn lot, but I didn’t look around. If I didn’t look around it would not be true that somebody had opened the

gate with the creaky hinges, and that is a wonderful principle for a man to get hold of. I had got hold of the principle out of a book when I was in college, and I had hung on to it for grim death. I owed my success in life to that principle. It had put me where I was. What you don't know don't hurt you, for it ain't real. They called that Idealism in my book I had when I was in college, and after I got hold of that principle I became an Idealist. I was a brass-bound Idealist in those days. If you are an Idealist it does not matter what you do or what goes on around you because it isn't real anyway. (45)

As many critics have suggested—and indeed this is the foundation of Robinson's complaint—Burden's adoption of this worldview colors the novel, allowing him to filter out some of the harsher realities of southern life and politics that lie behind machine politics and southern progressivism. And by the 1930s as a result of segregation and disenfranchisement, the "Idea" that guides these events is a whites-only progressivism as "ideal."<sup>42</sup>

Warren, of course, wrote extensively about race throughout his career, and yet he never referred to the terrors of chain gangs. But he could hardly be faulted for only dimly perceiving the link between these penal practices and what was called "the race problem," even though, as I show in this chapter, he refers to it briefly in his literary masterwork. But like most of his fellow southerners—and indeed most northerners—Warren failed to identify convict labor as a broad schema that undergirded southern progressivism and fomented racial terrorism, exploitation, and segregation. As a result, Warren became unwittingly complicit in a system that had many of the trappings, if not the full force or mandate of American Slavery. Like his protagonist Jack Burden, Warren's disconnection seems particularly surprising when we consider the extent to which he wrote about slavery *per se*. For starters, consider that Warren's first book was a biography of the abolitionist John Brown, *John Brown: The Making of a Martyr* (1929), a nearly 500-page book that H.L. Mencken called "a capital piece of work" and named one of the ten best books of the year.<sup>43</sup> However, reflecting on his first book more than 35 years after its publication, even Warren admitted, "It is far from the book I would write now, for that book was

shot through with Southern defensiveness.”<sup>44</sup> This kind of second guessing and retraction appeared throughout Warren’s career and, given the various watershed moments related to race in the South that took place during his life, seems natural for someone who inhabited “an intellectual and geographical border”<sup>45</sup> that resulted from being born and growing up in the South, studying and writing as a Rhodes Scholar at Oxford in his early 20s, and then writing and teaching at universities around the country and in Europe.<sup>46</sup>

Warren said that leaving Kentucky where he was born and Tennessee where he studied at Vanderbilt caused him “to rethink the meaning ... of the world [he] had actually been living in without considering it.”<sup>47</sup> This rethinking, which initially resulted in *John Brown* and his essay “The Briar Patch” (1930), have resulted in a thorough intellectual history not just of Warren’s career but his thinking on race in particular.<sup>48</sup> This engagement with race spanned Warren’s entire career, beginning with “The Briar Patch” in *I’ll Take My Stand* (1930)—the famous manifesto against capitalism and industrialization produced by the twelve intellectuals known as the Southern Agrarians—and extending through Civil Rights Era texts such as *Segregation: The Inner Conflict in the South* (1956), followed by *The Legacy of the Civil War* (1961), and *Who Speaks for the Negro?* (1965).<sup>49</sup> A thorough examination of each of these texts is beyond the scope of this chapter. What matters for our purposes is tracking what Michael Kreyling and Fred C. Hobson, call the “conversion narrative” in Warren’s writings on race.<sup>50</sup>

To follow the arc of this narrative, we can begin where Warren did—in “The Briar Patch.” In the essay, Warren attempts to explain and defend racial segregation and endorses Booker T. Washington’s model of accommodation. After quickly glossing more than two hundred years of American history from the first “twenty negroes” who landed at Jamestown in 1619 and were sold into slavery, Warren references with glancing blows schemes suggested just

before the Civil War about returning blacks to Africa. According to the pre-converted Warren, these schemes designed to:

solve the problem which distressed the nation, the negroes, in so far as they were articulate concerning their fate, usually opposed any such scheme. They might be mobbed from their farms in Ohio or be forced to spend their days in the cotton-fields under a blazing Mississippi sun, but America, after all, was home. Here they knew where they stood; the jungle, though not many generations behind, was mysterious and deadly. (246)

Then, in one paragraph, Warren begins and ends the Civil War and returns to this same racist rhetoric: “When the bluecoats and bayonets disappeared, when certain gentlemen packed their carpet-bags and silently departed, and when scalawags settled down to enjoy their profits or sought them elsewhere, the year of jubilo drew to a close and the negro found himself in a jungle as puzzling and mysterious, and as little answering to his desires as the forgotten jungles of Africa” (247).

Incredibly, Warren concludes that blacks were as ill-equipped to establish themselves in the devastated South or the restored Union as they “would have been to live again, with spear and breech-clout, in the Sudan or Bantu country” (246-247). Warren makes these claims based on the alleged fact that as a slave “[t]he necessities of life had always found their way to his back or skillet without the least thought on his part.” Then, Warren concludes that “the story of the negro since 1865”—so for nearly 75 years at the time he is formulating and writing these thoughts—had been “to find a place” (247).<sup>51</sup> In the end, Warren ultimately aligns his with the platform of Booker T. Washington. Warren describes Washington as “[t]he most prominent man in negro education of the past, and probably the most prominent negro of the past or present” (250). Of course, Warren is content to embrace principles of separatism while ignoring or at least undercutting Washington’s support of industrialization and vocational education for blacks as an engine that could drive blacks out of poverty. Warren argues: “the Southern negro has always

been a creature of the small town and farm. That is where he still chiefly belongs, by temperament and capacity” since “in agricultural and domestic pursuits” he will find “the happiness that his good nature and easy ways incline him to as an ordinary function of his being” (260-261). Warren thus concludes “The Briar Patch” by eliding the violence—both highly spectacular and out of view—that accompanied segregation. He coaxes his white readers to “[l]et the negro sit beneath his own vine and fig tree” (264). In essence, Warren replaces the wild and harrowing jungle rhetoric that opens the essay with the more tame visual image of the vineyard—white-owned of course—as at least a short-term, if only temporary solution to the race problem.

Over the course of his career, as I’ve said, Warren would grow to regret having written “The Briar Patch.” In fact, in *Who Speaks for the Negro?* (1965), he writes that while he was writing “The Briar Patch,” he “had experienced some vague discomfort, like the discomfort you feel when your poem doesn’t quite come off, when you’ve had to fake, or twist, or pad it, when you haven’t really explored the impulse” (11). However, in many ways, even Warren’s apparent retraction of “The Briar Patch” is more of a reframing. In a tone that shifts from distant and critical to the highly personal, Warren writes, “The essay was a cogent and humane defense of segregation—segregation conceived of with full legal protection for the Negro, equal educational facilities, equal economic opportunities, equal pay for equal work. The essay envisaged segregation in what I presumed to be its most human dimension. That was what I had been raised to believe in.” Warren then offers up a family history that includes the fact that “[his] maternal grandfather, who had ridden with Forrest, had not ‘believed in slavery,’” and that “if one of the children in our house had used the word *nigger*, the roof would have fallen.” Then, in a tone that conflates resignation with revisionism, Warren concluded, “Yes, the essay was very humane,

self-consciously humane; and that self-consciousness indicated an awareness that in the real world I was trying to write about, there existed a segregation that was not humane” (11). This kind of qualification certainly casts light on the phenomena Hobson characterizes as first appearing in the 1940s in which southern writers “all products of and willing participants in a harsh segregated society confess racial wrongdoings and are ‘converted,’ in varying degrees, from racism to something approaching racial enlightenment.”<sup>52</sup> As Kreyling has argued, for Warren and “most Southern writers coming of age during the rise and fall of Jim Crow, there was no other subject matter, no other crisis—social or psychological” than coming to terms with the fact that “*being Southern means having been racist.*”<sup>53</sup>

But even if we grant that Warren eventually saw the connection between accommodation and segregation—which he eventually concluded is *never* humane—he still fails to identify convict labor and chain gangs as having been specifically designed to segregate blacks and whites. For Warren and his contemporaries, ignoring the racial makeup of convicts and criminals provided a palatable form of segregation to smooth the transition from the “ignorance” of 1920s and 1930s racism to the southern “conversions” that followed *Brown v. Board of Education* (1954).<sup>54</sup> Warren may have avoided confronting the reality of these circumstances by claiming to have fully internalized southern identity in ways that kept him from investigating some aspects of southern history and life more explicitly. In the opening of *Segregation*, for example, Warren tells the story of talking to a friend about a plan to return to Kentucky, Tennessee, Arkansas, Mississippi, and Louisiana “to look at the faces, to hear the voices, to hear, in fact, the voices in my own blood.” The friend, “a southerner, long lived in New York,” tells Warren that he is glad Warren is going and not he. Warren follows these remarks by quoting a “girl from Mississippi” who once told him, “I feel it’s all happening inside me, every bit of it. It’s all there.”



Underscoring the ominous nature of this internal conflict, Warren concludes, “I know what she meant” (3).<sup>55</sup> This internalization of southern identity—in some sense, a combination of submersion and immersion—requires a particular approach to uniquely southern practices. Consequently, Warren invites readers and observers to look more closely in search of the tiny openings on the surface of his writings about the region that provide entry into areas where the deeper networks, such as convict labor, operate. For example, just as Warren told Ralph Ellison in the mid-1950s that “there wasn’t a power under heaven that could have changed segregation in 1929,”<sup>56</sup> we might also consider the possibility that for Warren and his contemporaries it would have been impossible to fathom a South—or a nation for that matter—without convict labor.

Perhaps the “vague discomfort” that Warren registered while defending the racial status quo when he wrote “The Briar Patch” also could be applied to other examples of denial about the explicit ways that racial injustice and inequality were able to propagate among ostensibly “free” men and women in the South. In particular, Warren likely failed to equate convict labor with segregation and especially with injustice since, *de facto*, people ended up on chain gangs through the operation of a *justice* system. It’s not just that Warren didn’t “get it” or see the myriad causes for the race problem in the South. It’s more nettlesome than that. He was aware of them, but he just could not always accurately identify their underlying structures. In other words, Warren knew there was something wrong with convict labor, but the presence of convict laborers in the southern landscape—in his visual field—had become so normalized that he couldn’t really be expected to see beyond his individual encounters with convict laborers to the workings of the larger system that produced them.<sup>57</sup> If anything, in fact, Warren’s case still is exceptional in light of his ongoing and, at times, tortured confrontation with the larger moral contours of the race

problem: He demonstrates the ease with which convict labor and chain gangs have become normalized in American and southern society even among those who have supposedly been “converted” away from racism, understood as a birthright among whites born into the Jim Crow South.

This contradictory relationship between “race” writ large and the elision of its political understructure is submerged in *All the King’s Men* and then remains in Warren’s writing until he can no longer ignore its presence. For example, in *Who Speaks for the Negro?*, published almost two full decades after *All the King’s Men*, Warren attempts to discuss race relations by exploring the tensions that political activism and black mobilization have forced to the surface. This volume consists of interviews Warren conducted with some of the people in his estimation who were making “the Negro Revolution what it is—one of the dramatic events of the American story.”<sup>58</sup> Warren conducted and transcribed these interviews, edited them with a light hand, and provided settings and commentaries for them. Among Warren’s subjects is the Reverend Joe Carter of West Feliciana Parish in Louisiana, about 25 miles north of Baton Rouge. “Before the Civil War,” Warren explains, “[West Feliciana Parish] was a region of great plantations and beautiful houses. Even now some of the houses yet stand, and you can pay a dollar and enter to inspect the dusty or tarnished or mellowed grandeur.”<sup>59</sup> Carter recounts to Warren his experience attempting to register to vote for the first time after being influenced by television and radio reports and assisted by organizers from the Congress of Racial Equality (CORE). Carter provides a detailed narrative of how he ultimately wound up thrown in jail and had his voter registration papers stolen from his car without his knowledge.

Though not focusing on the relationship of chain gangs and the criminal justice system, Carter’s story includes critical evidence of the relationship between criminality and citizenship as

well as the nature of political power bound up in that relationship in a manner that lends itself to our understanding of how Warren's representation of convict labor can get lost in the shuffle and overshadowed by more obvious narratives of racial oppression. Preserving Carter's vernacular in an apparent attempt at authenticity, Warren reports the reverend's story:

I knew that I was a citizen of the United States and not only our own little parish, because I was fifty-five years old and I had never done anything to go to jail, to be disenfranchised, but the state or the parish laws, and through these I did not get to red-ish, and I could hear over the air and on the television they wanted ever citizen to vote. Well, after they explained to me concernen of the vote, you know, which I wanted to do it anyway, and I was glad to lead the people here out of their ig-rance and enlighten them about how to go about it.<sup>60</sup>

When Carter and another Reverend who wishes to register arrive at a courthouse, though, they do not see any signs for the Registrar's office or hear anyone in the building. They continue to search unsuccessfully for the Registrar before happening upon "some laborers, which were from Boyd, Kirby and from some parish town, and they did some little somethen there and had them in the parish jail and had them worken, on the courthouse there." After one of the laborers tells Carter and his companion, the Reverend Rudolph Davis, to go to a part of the courthouse Carter and Davis already knew was the wrong location, Davis asks the men "where do our people red-ish to vote." But the convict laborers "couldn't say no more." So Davis and Carter seek advice from someone else: "White folks, can you tell us where the Red-star is, please?"<sup>61</sup>

Davis and Carter eventually find the Registrar emerging from his office and, after a polite exchange, the Registrar explains that he cannot register them unless they get two other registered voters from their wards to swear to their identity. At that moment, the county sheriff comes down the hall. Davis points out to the Registrar that "the High Sher'ff knows me, and not only that—all of you knows me." But Davis's attempts fail and the sheriff calls to Carter, "Here boy, here boy, you boy." The sheriff asks Carter his name and starts to write it down but eventually

becomes annoyed, sees one of his deputies, and tells Carter, “I ought to lock you up.” When Carter does not respond, the sheriff hollers to the deputy, “Grab him, Dan, don’t you hear him raisen his voice to me? Consider you’re under arrest.” Carter tells Warren that he is strip-searched two different times, placed in jail for about 12 hours and has to give up his clothes and put on a uniform. When Carter returns home, his wife admonishes him for going down to register to vote and threatens to leave him if he goes back to the courthouse on such an errand.

Along the way, we see that Warren embeds a subtle reference to convict labor here that demonstrates the connection between state power in the form of convict labor and black political immobility in the South. That is, Carter’s story serves as more than a relic from the Civil Rights Movement or even a cautionary tale with contemporary resonances related to racial discrimination, voter fraud, and police abuse. We see how policing and convict labor can get entangled to thwart political mobility. First, we note the checklist that Carter uses to determine his own voter eligibility. At the top of that list are his age, his residence, and, quite conspicuously, the fact that he has never been to jail.<sup>62</sup> Carter understands that to be jailed means to be disenfranchised—to forfeit one’s right to vote and ability to participate in politics. Therefore, his subsequent encounter with the convict laborers at the courthouse, despite its apparent quotidian quality, grows more significant when considered as the midpoint between his earlier comment and Carter’s pending fate. First, Carter’s friend Davis asks the laborers “where do *our* people” (emphasis mine) go to register to vote. He identifies with the convicts apparently on the basis of their shared race, evidenced by his pivot to the “white folks” for assistance. But through the convicts’ inability to point Carter and Davis to the right place and then their eventual silence on the matter, they demonstrate their exclusion from this process—their political immobility and the disenfranchisement that results from their criminal condition.<sup>63</sup> In other

words, as a result of their criminal identities, the laborers are *not* Carter and Davis's "people" in the sense of a polity—despite Davis's willingness to include them. Also worth noting here is how Carter identifies the laborers' crimes as "a little somethen there" in their hometowns or other parishes. Their original crimes themselves are unclear—and if Carter's story is any indication, they may not have been injurious enough to warrant imprisonment—while the descriptor "somethen" suggests a similar pattern through which the black "criminal" and perhaps the white officer as well are never clear on what the offense is.<sup>64</sup> In fact, it probably does not even matter. As in Carter's story, criminality is more about being "there" than it is about the "somethen." Finally, when Carter's story reaches its height with him getting arrested and going to jail, the Reverend has been recast as a criminal, as someone who *has* been to jail. Therefore, he has violated his original checklist for voter eligibility, because according to his personal conception of the rights of citizenship, as he points out to Warren, before this incident he "had never done anything to go to jail, to be disenfranchised." But now he has.

To be sure, in keeping with the revolutionary tone of *Who Speaks*, the story concludes with Carter seemingly joking that his wife, who had threatened to leave him if he tries to register again, can "get [her] clothes and start now." However, the power of the narrative to place Carter and Davis, black men actively and deservedly seeking political power, in the same scene interacting with men who have forfeited theirs remains crucial to an understanding of Warren's representation of the political process. This proximity opens out to a larger consideration of how Warren negotiates politics and race in *All the King's Men*, his most significant contribution to American and southern political discourse. Carter and Davis include the workers in the jail within their sense of polity as "our people" based strictly on their skin color. But, as the covert role of convict labor in *All the King's Men* reveals, such unity runs, in Carter and Warren's view,

counter to southern politics. Just as the workers in the jail are silenced—remaining “visible” only in Carter’s story—convict laborers in *All the King’s Men* push up to the surface and even at times dictate the events of the novel most likely without Warren’s awareness.

### **Repaving a Well-Worn Path: The Political Nature of *All the King’s Men***

Readers familiar with *All the King’s Men* or either of the novel’s two film adaptations are apt to recall the dramatic scene involving the death of several children when a staircase failed at a school built after some corrupt political dealings. But it is highly unlikely that many remember every detail that went into this particular turn of events. Specifically, no critic that I am aware of has noticed or discussed the role of convict labor in this pivotal moment in the text. These details may seem tangential—a *deus ex machina*. However, these details are essential to the larger themes not just of corruption but also of politics more generally. As the plot of *All the King’s Men* gets messier with impeachment proceedings, a romantic subplot involving a former governor’s daughter who is also among Burden’s best friends and a quasi-love interest, and the excursus of Burden’s unfinished history dissertation about Cass Mastern, many of the larger political issues that would have informed the novel remain in the background. As Jonathan Cullick argues, the grammar of the novel shifts in a manner that makes it much more about Jack Burden than Willie Stark or the novel’s historical context.<sup>65</sup> But if we resist readings of Burden as “narrator-agent” and return him to the more basic role of “narrator-observer,”<sup>66</sup> we restore the ability of the novel to offer important literary historical lessons.

The relationship that the novel sets forth between convict labor and Willie Stark’s rise to political prominence, in particular, should not be viewed as some esoteric historical reference.

The school's staircase fails as a result of "rotten bricks" kilned by convict labor. The brother-in-law of the Chairman of the County Board of Commissioners owned the brick-kiln and the highest bidder on the project, J.H. Moore, also had an interest in the furnace. As it turned out, the two men "used convict labor from the state pen and got it cheap, for the brother-in-law had some tie well up in the system" (90). Willie Stark as gadfly accuses local politicians of corruption related to the bidding process for the schoolhouse in the aptly named Mason City. And even though his accusations focus on the cronyism and financial aspects of the bidding process—the most expensive, lowest quality contractor among four bids gets the job—convict labor's part in the story offers insights into the practice's role in the broader narrative of the post-Reconstruction South. As the novel's narrator, Jack Burden explains, Willie's early failures both in electoral politics and in his specific attempt to call attention to the corruption that leads to this tragedy stem not from the validity of his arguments but rather from his approach. Willie attempts but fails to make his case by "squawking about" even though "folks don't listen to you when your voice is low and patient and you stop them in the hot sun and make them do arithmetic" (91).

Moreover, Willie and the state inspector who successfully "squawked" about the bricks when Moore tried to use them on a state job do not seem particularly concerned that the "rotten bricks" were kilned by convicts. And this lack of concern points up the systemic nature of the problems created by that labor. Indeed Warren himself, like Willie and the inspector, also does not seem to care that convicts kilned the bricks, except to the extent that he likely viewed the convict-lease system as a site of corruption rather than a system based on torture or forced segregation. The loose system was hidden from the public eye in most cases, and based on racist thinking as well as personal and political relationships. Ironically, the corrupt local politicians

meet Willie's objections to their bid process by accusing him of being a "nigger lover" *not* because of the issue of convict labor, which disproportionately ensnared blacks and exploited their labor without proper pay, but because the lowest bidder whom Stark supports, Jeffers Construction, "a big-time contractor, from the south of the state" (90), uses Negro bricklayers and plasterers and carpenters in some of its crews. These black workers, the county commissioners who thwart Stark's efforts claim, would garner higher wages for their work than the white helpers, haulers, and laborers from Mason City that Jeffers might pick up for some of the work. So partly under these auspices, the local politicians award the contract to the highest bidder with ties to the county commission. This contractor gets his bricks kilned by convict laborers leased from the state at fixed rates well below the market rate for their labor. After the staircase at the new schoolhouse fails during a fire drill, three kids who hit the concrete walk are killed and about a dozen are crippled. This outcome, as Burden concludes with the cynicism of any good reporter, "was a piece of luck for Willie" (97).

Although convict leasing therefore leads indirectly to Willie's rise to power, it is a later form of convict labor that wends itself beneath the surface of *All the King's Men* and results, in large part, in the solidifying of that power. Stark's roads program defines him both as a reformer and agrarian populist in opposition to his political enemies and white elites like the gentry of Burden's Landing, such as Judge Irwin and the former Gov. Stanton. As Keith Perry points out in correlating the historical Huey Long and the literary Willie Stark, "Long both made and fulfilled the same promises, built a charity hospital and, even today remains perhaps best known as the man who paved Louisiana. Stark similarly lives up to his word."<sup>67</sup> In fact, in a bit of political spin, Long claimed he lost the 1928 gubernatorial election as a result of the state's bad roads.<sup>68</sup> And just as the depiction above of convict labor's fallout from the "rotten bricks" at the



Mason City schoolhouse itself takes some untangling, similarly covert representations of convict labor and chain gangs abound in the novel provided we properly understand the nature and history of these practices.<sup>69</sup> In particular, the dozens of references to roads in the novel signal the presence of convict labor and either relate to (a) when and how these roads are traversed or (b) how they appear in political discussions about Willie Stark's political agenda and power.

The words "road," "highway," and most notably "slab" appear throughout the novel in various contexts with varying connotations. First among these references, of course, is the opening scene discussed above, but that is hardly the last appearance of Highway 58 or other important roads. On several occasions, Burden refers to Highway 58, "the new boulevard near the bay" (56) in his well-to-day, old moneyed hometown of Burden's Landing, and other paved roads in the state as the or a "slab" (1-3, 29, 55, 73, 76, 78, 191, 287). Warren's and Burden's frequent use of this term is telling for at least two reasons. First, the shorthand reduces the road itself to its fundamental origin, its material construction. Warren's and Burden's reduction thus invites a consideration of the "slab" that has been brought into being, which leads us to ask how. And secondly, the term's carefree formulation reduces not just the engineering and labor that went into the paving of these "slabs," but the role of legal and political systems in changing formerly mud-rutted and gravel beds to modern thruways.

Furthermore there is a critical pairing of two additional meanings of the word "slab" that works to unify the novel's political narrative. Near the end of the novel, Adam Stanton, formerly Burden's best friend, goes into a murderous rage after he learns that his sister is having an affair with Willie Stark. Adam Stanton shoots the governor in the great lobby of the state's Capital before he is immediately shot and killed by Stark's driver Sugar-Boy (596-598). Burden says that he did not see Adam's sister Anne leave the Capitol to take Adam's body back to the

cemetery in Burden's Landing. Nonetheless, Burden describes her "as she sat in the rented limousine which moved at its decorous torturer's pace the near hundred miles, lifting the miles slowly off the concrete *slab*, slowly and fastidiously as though you were peeling an endless strip of skin off the live flesh" (605-606; my emphasis). Similarly, after Burden returns to his hometown to see Anne, he asks her if her brother told her who telephoned him with the tip about her affair with Stark. As Anne recalls the moment her brother "had burst in on her," she looks to Burden "like somebody lifting the sheet off the face of a corpse on a marble *slab* in a morgue and peering into the face" (611; emphasis mine). The use of "slab" in these two ways—shrouded by death and solemnity in both instances—connects the novel's ending to its beginning scene of Burden's and the reader's hypothetical death. A death from the wreck that results from an inability to properly navigate the state's freshly paved roads that elevate its vehicles out of the dust and dirt of its rural and agrarian past.

In addition to the marble slab of Burden's metaphorical crypt, the word "slab" appears in other contexts in the novel where the word does not denote a road: "a one-room, slab-sided schoolhouse" (136), a "'high-powered slab of barbecued hog meat'" (130), and a sign "painted on a big slab of plywood" (292). These seemingly banal references weave together different dimensions of Willie's career. For example, the "slab-sided schoolhouse" comes out of Willie Stark's mouth during his extemporaneous speech that propels him from an ousted county treasurer and local gadfly to a political player at the state level. After getting clued into the fact that he has been set up to split votes rather than get elected governor, Stark—embarrassed, angry and very hung over—tells a crowd at a political rally that instead of a speech he has "a funny story" to tell them "about a red-neck, like you all, if you please." He then launches into an everyman tale of a "mother's son on the dirt roads and gully washes of a north-state farm" who

risers before daybreak to do his chores and then “walk[s] six miles to a one-room, slab-sided schoolhouse.” Self-consciously linking himself and his audience to a genesis on dirt roads, Stark then tells his audience “[h]e knew what it was to pay high taxes for that windy shack of a schoolhouse and those gully-washed red-clay roads to walk over—or to break his wagon axle or string-halt his mules on” (136). From this moment onward, Stark begins his road to the Governor’s Mansion, where he will maintain his power over the state by paving the roads, acquiring a Cadillac and a fearless Irish driver named Sugar-Boy.

Using those new roads, Willie will not hesitate to drop in unannounced on political opponents like Judge Irwin even if such an errand results in a round trip of “two hundred and sixty miles” (54) in one night. With the aid of his Cadillac, his driver, and his various “slabs,” Stark can traverse the state with such alacrity because Sugar-Boy can bear down on the wheel and cover “twenty miles [in] eighteen minutes” (74). And in addition to referring to the previously unfulfilled promises of the state’s roads in his breakout speech, Willie makes other noteworthy references to the political nature of roads in the novel. On the campaign trail, before Stark learns that he has been set up as a patsy, he offers up a stump speech that Burden finds to be “a weird mixture of facts and figures on one hand (his tax program, his road program) and of fine sentiments on the other hand” (104). Then, during a relatively routine moment of a candidate’s campaign doubt, Stark shares his frustration with Burden that “there’s not a decent road in the state once you get out in the country” (117). And after he becomes governor, Stark rhetorically asks his attorney general Hugh Miller during a heated debate whether the state’s legislators like any of his initiatives, including “[t]he highway program” (203).

Eventually though, Stark’s understanding of the roads program changes the longer he serves as governor, transitioning from the pragmatically political—how to meet the needs of his

constituents—to the more grandly ambitious. Early on, this transition takes the form of his political appointment of his potential nemesis Tiny Duffy to Highway Commissioner as a test drive before Duffy ascends to lieutenant governor (146). Also, the novel frequently points up the particular relationship between policing and this relatively new form of mobility, mentioning “highway patrolmen” (222), a “Highway Patrol car” (343), “the Highway Patrol” (497), and then “a highway patrolman with a pistol in his hand” (597) at the scene of Willie Stark’s and Adam Stanton’s shootings. Lastly, when Stark’s son Tom celebrates making quarterback on the “mythical All Southern Eleven,” Tom celebrates “by wrapping an expensive yellow sport job around a culvert on one of the numerous new speedways which bore his father’s name.” Unfortunately, the damage from the wreck includes “a somewhat less expensive yellow-headed sport job, named, it turned out Caresse Jones” (343). But when Caresse winds up “in the operating room of the hospital and not in the swamp” and “obligingly” does not die, the Stark Administration has an unwelcome controversy on its hands. Burden then describes how Mr. Jones, the girl’s father, was dealt with:

He stamped and swore that he was going to have blood, and breathed indictments, jail, publicity, and lawsuits. His fires, however, were pretty soon banked. Not that it didn’t cost some nice change. But in the end the whole transaction was conducted without noise. Mr. Jones was in the trucking business, and somebody pointed out to him that trucks ran on state roads and that truckers had a lot of contacts with state departments. (344)

As is often the case when former reporters’ tones turn conspiratorial, Burden is ambiguous about the specifics of how state officials might impede Mr. Jones’ business, but it is implied that these impediments are linked to a combination of regulation, policing, licensure and any of the other bureaucratic components of overland trade that can only occur “on state roads.”

Indeed, as Marshall Walker concluded in his classic study, *Robert Penn Warren: A Vision Earned*, “*All the King’s Men* is a political novel, whatever else it may be. It is, indeed a

veritable handbook of politics: we are given the ‘real feel’ of building a corrupt political machine which invites its own destruction and in addition to the study of political psychology we are shown techniques for coercing legislators and quashing impeachment proceedings.”<sup>70</sup> And so parsing the political action from the novel highlights not just political history but also political processes that, unfortunately, have changed very little in the past 60-plus years. For example, examining Burden’s account of Tiny Duffy’s involvement in the Stark Administration, first as Highway Commissioner, and then as Lieutenant Governor highlights the historical and political issues essential to the novel and restores its ability to critique southern history and politics. As I have said, before Willie Stark becomes governor, he first becomes a local hero as a result of the political maneuvers and corruption of men tied to the County Commission and the state’s convict lease system—men who have power Willie would soon surpass. But it is what Willie does after he rises to power and the nature of the characteristics of the people he selects to populate his machine that is most relevant to our discussion of chain gangs and convict labor in *All the King’s Men*.

The key here is who Willie assembles around him. In the novel’s 1930, Willie runs in the Democratic primary that, as Burden explains, “wasn’t a primary at all. It was hell among the yearlings and the Charge of the Light Brigade and Saturday night in the back room of Casey’s saloon rolled into one, and when the smoke cleared away not a picture still hung on the walls. And there wasn’t a Democratic party. There was just Willie, with his hair in his eyes and his shirt sticking to his stomach with sweat. And he had a meat ax in his hand and was screaming for blood.” After the election, Willie chooses his advisers. Among them are former cronies of Joe Harrison’s who “discovered that there wasn’t going to be any more Joe Harrison politically

speaking” so they “had to hunt up a new friend” (146). Including in this mix was, somewhat to Burden’s surprise, Tiny Duffy:

After a while, Willie even signed on Tiny Duffy, who became Highway Commissioner and, later, Lieutenant Governor in Willie’s last term. I used to wonder why Willie kept him around. Sometimes I used to ask the Boss, “What do you keep that lunk-head for?” Sometimes he would say, “Hell, somebody’s got to be Lieutenant Governor, and they all look alike.” But once he said, “I keep him because he reminds me of something.”

“What?”

“Something I don’t ever want to forget,” he said.

“What’s that?”

“That when they come to you sweet talking you better not listen to anything they say. I don’t aim to forget that.”

So that was it. Tiny was the fellow who had come in a big automobile and had talked sweet to Willie back when Willie was a little country lawyer.

But was that it? Or rather, was that all of it? (146)

Burden continues ruminating on the subject and decides momentarily that the Boss must take a certain pride in his ability to make someone like Duffy, who would go on to become governor, a success. Burden narrates, “He had busted Tiny Duffy and then had picked up the pieces and put him back together again as his own creation. He must have taken a lot of pleasure in looking at Tiny’s glittering rig and diamond ring, and thinking that it was hollow, that it was a sham, that if he should crook his little finger Tiny Duffy would disappear like a whiff of smoke” (146-147). Burden concludes, again for the moment, that Tiny’s success “was a final index of the Boss’s own success” (147).

However, this conclusion still does not satisfy Burden’s question about Duffy, nor does it properly contextualize his role in the novel and his ability, particularly as the Highway Commissioner who would have made extensive use of chain gangs and convict labor, to fulfill Stark’s promises. Burden’s final answer and ours aligns Stark’s ideas and ambitions with the unseemly processes apparently necessary to bring them about in Warren’s and Burden’s view of the imaginary 1930s South:

In the end, I decided that there was one more reason behind the other reasons. This: Tiny Duffy became, in a crazy kind of way, the other self of Willie Stark, and all the contempt and insult which Willie Stark was to heap on Tiny Duffy was nothing but what one self of Willie Stark did to the other self because of a blind, inward necessity. But I came to that conclusion only at the very end, a long time afterwards. (147)

So ultimately, Duffy proves the ideal political operative at just the right time on multiple levels. He does the dirty work and insulates Stark from the stark realities of the lower orders of the political hierarchy so that Willie can spend his time and energy operating at the highest levels of state government. Although the novel has been read as ignoring race outside of its treatment of the Cass Mastern material, perhaps Warren unknowingly embedded contemporary racial content within the unexplored terrain of Willie's roads program, which proves to be a particularly effective hiding place.

In some sense then, we might read Tiny Duffy as a later, less barbaric version of Charles Chesnutt's minor character Capt. McBane in *The Marrow of Tradition*, discussed in the first chapter of this dissertation. In essence, Duffy as Highway Commissioner becomes a less visible version of a "terrorist arm" that aids in the perpetuation of a venial system. Additionally, Duffy differs from McBane in that McBane performs his duties at the behest of a white elite who detest him and works hard to keep him at arm's length out of their social clubs and social circles. But Duffy works for Stark, a man whose backwoods mentality and background likely mirrors his own. In fact, at the outset of the events of the novel, Duffy stands above Stark. The two men's positions are inverted and by the novel's end, with Willie "safe underground" (605) after his funeral, Duffy eventually succeeds him as governor. So unlike McBane, who dies in a pitched battle with a former convict laborer, Duffy thrives.

In the end, this shift from the violent McBane, whose fate is sealed after the "waking of [his] dormant appetite" for murder, to the complexity of Duffy's political machinery completes

the shift from the raw potentially untamable nature of convict leasing to the codified and ostensibly progressive practice of state- and county-run chain gangs seen as necessary for the “public good” and the modernization of the New South. Moreover, Duffy’s decision to call Adam Stanton and tell Stanton about his sister’s affair with Stark, a decision that would lead to the death of Willie Stark, dovetails with Duffy’s political function in the novel. In the lead up to the assassination of Stark, Warren establishes Duffy’s inescapable role as an operative once again. This function seems inevitable when we consider that throughout the novel Warren has placed Duffy in the middle of the action. Sometimes, Duffy’s interventions are explicit, as in the assassination plot. But at other times, as in the case of furthering Willie’s political agenda by seeing that the state gets paved throughout with “slabs” that can be peeled like “an endless strip of skin off the live flesh,” his contribution is more implicit, submerged, and invisible.

And Warren’s novel consciously picks up on the significance of this history. For example, Burden, after complaining that in the early 1920s driving in the state meant “holding my jaws clamped tight to keep the vibration from the washboard from chipping the enamel off my teeth,” concludes his musings with the following: “You’ll have to say this for the Boss: when he got through you could drive out for a breath of air and still keep your bridgework in place. But you couldn’t that first time I went to Mason City” (76). So in a sense, the introspective Jack Burden’s narration of both the story of Willie Stark and the larger narrative of southern and American politics falls back on a kind of endorsement of Southern Progressivism and the Good Roads Movement. However, like the “[f]riends, red-necks, suckers, and fellow hicks” (142) who propel Willie to the Governor’s Mansion or the various forces he must deflect to stay there, Burden either does not care or is simply unaware of the toil and punishment—in the sense of criminology and penology—that went into building and repairing these roads.



## Refrain: An All-Too-Familiar Down Home Tune of Inequality and Injustice

When contemporary critics, often following Foucault, talk about crime, punishment, and the law, they often apply formal terms drawn from philosophy and history.<sup>71</sup> But perhaps Willie Stark's more down-home vernacular can provide a more accessible and therefore useful explanation of how the law actually operates in society. When Willie's attorney general, Hugh Miller, "a tallish, stooped, slow-spoken man with a sad, tanned face and what they call the eyes of a dreamer" (145), finally decides to resign, he gets into a collegial argument with the Boss over what it means to be a lawyer. Slightly frustrated by Miller's opposition to the governor's decision to protect his Auditor's "hide" from impeachment and conviction, Stark tells Miller that his trouble is that he is a lawyer—"a damned fine lawyer." Then Miller rebuts that Willie's a lawyer, too. However, Willie takes careful exception to this *accusation*.

"No," the Boss corrected, "I'm not a lawyer. I know some law. In fact, I know a lot of law. And I made some money out of the law. But I'm not a lawyer. That's why I can see what the law is like. It's like a single-bed blanket on a double bed and three folks in the bed and a cold night. There ain't enough blanket to cover the case, no matter how much pulling and hauling, and somebody is always going to nigh catch pneumonia. Hell, the law is like the pants you bought last year for a growing boy, but it is always this year and the seams are popped and the shankbone's to freeze. The law is always too short and too tight for growing humankind." (204)

Although the impetus for these comments is a case of political corruption, we might apply a broader notion of corruption and the nature of the law. Perhaps, the convicts who are being forced to build Willie's roads represent that third person catching pneumonia—in many cases, quite literally.

Calls by many public historians and scholars to recover lost bodies from the wreckage of history and attempt to pull individuals' stories from that wreckage appear to be born out of fears that the grouping of oppressed people has led to generalities which then have led either to dismissal from the historical record, or, perhaps even worse, errors in formulating theories and conclusions about the past. As labor historian Alex Lichtenstein explains in his preface to *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South*: "I mostly tell the story of the political, social, and economic forces that encouraged powerful whites to turn to forced black labor in an effort to exploit their region's resources and bring its economy into the modern world. As a result, the convicts themselves generally remain in the background, victims of historical forces greater than their individual destinies."<sup>72</sup> Such an approach may not satisfy some historians, artists, and critics whose ambitious project involves reviving those "dead in the past," but as the epigraph to this chapter suggests, understanding the broad schema and functioning of this enormous system can provide the "definition" that "gives them life." When we approach historical fiction in this manner, we grapple with the way authors and texts cope with the historical context within which they are forced to operate. By contextualizing convict labor within "America's most successful political novel and the benchmark against which all other such novels are judged in both craftsmanship and thematic development,"<sup>73</sup> we can finally see the proper and powerful role this institution has played in history and literature.

### Chapter Three

#### The Warden's Sense of Humor: Policing and Southern Chain Gangs through the Lens of *The Defiant Ones*

*Cullen: Thanks*

*Jackson: What for?*

*Cullen: For pullin' me out.*

*Jackson: Man, I didn't pull you out. I kept you from pullin' me in!*

Hollywood has been dragging around the chain gang for more than 70 years. In the 1930s, when “previously often invisible economic processes ... that made daily life run were suddenly stripped bare and thrust before the eyes of the world,”<sup>1</sup> major studios seized upon the public's interest in the downtrodden to produce almost a dozen short and feature-length chain gang films. Even Walt Disney's Mickey Mouse fell on hard times. In “Chain Gang” (1930), Mickey busts rocks and plays a harmonica while chained to an assortment of other cartoon animals in raggedy pinstripes. Shortly thereafter, the chain gang proved sufficiently capable of driving the plots of feature-length films, the most famous being the Academy-Award winning *I Am a Fugitive from a Chain Gang* (1932). Many of the 1930s chain gang films—*Hell's Highway* (1932), *Laughter in Hell* (1933), *Road Gang* (1936), *Blackmail* (1939), and *Dust Be My Destiny* (1939)—picked up on the expository elements and film tropes from *Fugitive*. Often, the protagonist was an innocent victim of a corrupt or exploitive boss, belligerent guards, or a vixen whose double cross led to his arrest and chain gang sentence.<sup>2</sup>

The chain gang film—in addition to providing big studios with box office draws and vehicles for stars of the day such as Paul Muni and Richard Dix—also appeared to critique convict labor, warn the nation about racial injustice and southern racism, and depict violence as the core dimension of its central linking trope. For the convict protagonists depicted—mainly

white on screen though disproportionately black throughout American history—these films were often *too* focused on the arbitrary brutality inherent in chain gangs and isolated in labor camps. As a result, despite good intentions, they commonly failed to capture the systemic nature of convict labor and how it was used both to exploit black labor and police black bodies. As I have shown in earlier chapters, chain gangs served as their own special form of segregation by linking blacks to criminality and providing the means for local governments in the South and elsewhere to limit the geographic and social mobility of black citizens generally. This situation would be particularly acute during the first half of the twentieth century. In keeping with the leftward swing of Hollywood in the Great Depression, filmmakers during the 1930s were drawn to depict with sympathy this loss of freedom. The chain gang provided an easy way to represent immobility. And for decades following, studio bosses, directors and actors have used the chain gang as a shorthand symbol of the backwardness of the South.

Film and media scholar Allison Graham sketches the chain gang film's history from *Fugitive* through Preston Sturges's *Sullivan's Travels* (1941) and, finally, to Stanley Kramer's *The Defiant Ones* (1958).<sup>3</sup> Although the brutality of the chain gang is only implied in *The Defiant Ones*, its casting, storyline, and Civil Rights Era release make it an essential film for understanding the demands of the genre. Prior to *The Defiant Ones*, chain gang films revolved around critiquing the South and the violence inherent in its brutal treatment not just of prisoners but also of the slaves who had preceded them in handling the bulk of the region's labor. But *The Defiant Ones* relies on a more oblique approach, not even invoking the familiar visual references to the abuses of convict labor such as the lash and the sweatbox. Instead, *The Defiant Ones* tells the story of two convicts—one black (played by Sidney Poitier) and the other white (Tony Curtis)—that are chained at the wrist yet manage to escape from an overturned prison truck.

Certainly the film contains many of the same elements of its chain gang film predecessors. But its omission of overt brutality compels us to see beyond chain gangs as historical, dark relics of the South's past. Rather, *The Defiant Ones* presents the more modern ideological and economically pragmatic forces behind chain gangs. Indeed, *The Defiant Ones* is about considerably more than what the current critical debate suggests: a largely uplifting tale of two convicts' from different backgrounds who bond during their failed attempt to evade recapture.

As a result of its melodramatic trajectory, that is, *The Defiant Ones* has often been seen as the first black-white buddy film, while the historical significance of its use of the chain gang is treated as a mere plot device for the development of the two lead characters' relationship.<sup>4</sup> The fact that the two men are convicts on the run structures the film by creating the need for a chase with seemingly dire consequences for all involved. And chaining Poitier and Curtis together seems to give Kramer and the screenwriters a visual metaphor for interdependence between blacks and whites at this crucial moment in the nation's experience of race. During their encumbered flight, Poitier's Noah Cullen and Curtis's John "Joker" Jackson cross a raging river, survive and find food in a swamp, and barely escape from a lynch mob with the aid of a former chain gang member after botching the burglary of a company store. Cullen and Jackson part briefly after they break the chain only to reunite when Joker learns that the white woman who has seduced him has directed Cullen to certain death in a swamp full of "bogs and quicksand." Jackson risks his freedom to try to save Cullen but a gunshot wound inflicted by the woman's son ultimately undoes both men when Cullen leaps from a northbound freight train to be with Jackson—a final move that solidifies current readings of the humanistic drive of the film. But *The Defiant Ones* warrants a more complex treatment—one rooted in the cultural history of chain gang films, the material history of chain gangs themselves, and the spectatorship that the

film makes possible through its aesthetics, star power, mid-century moment of production, and especially its biracial storyline.

For as James Baldwin points out, audiences responded to the film's ending in ways dictated by their racial makeup: "Liberal white audiences applauded when Sidney, at the end of the film, jumped off the train in order not to abandon his white buddy. The Harlem audience was outraged, and yelled, *Get back on the train, you fool!*"<sup>5</sup> And although Baldwin interprets Cullen's decision to sacrifice his own freedom and join his fate to Jackson's as tragic, it seems to unavoidably mirror the larger framework of the film and further Kramer's progressive project. As Melvin Donalson suggests, the two protagonists of the film are like "naturalistic characters destined and shaped by their environments" whose "need for survival erases all the social prescriptions, leaving them to understand their interdependence."<sup>6</sup> In particular, Donalson lists several of the film's most suspenseful and important scenes of this interdependence—the protagonists' crossing of a raging river in one scene, their climb out of a clay pit in the midst of a torrent in another, their failed burglary of a company store which results in the threat of burning and lynching, and finally their doomed attempt to hop that freight train potentially bound for freedom. In light of all these cooperative efforts between a black man and a white man, Donalson goes on to call the film "the ideal movie for the age of civil rights."<sup>7</sup> Zoe Trodd has argued the film is "part of an interracial escape-narrative tradition that draws on the conventions of the slave narrative" and "echo[es] the 19<sup>th</sup>-century tradition of black sacrifice."<sup>8</sup>

However, *The Defiant Ones* was far from a mere echo of nineteenth century history and conventions or simply an interracial buddy film. Even though the presence of chains reminds viewers of the barbarism of American slavery, several critical aspects of the film suggest an entirely different object of critique and invite a different set of conclusions about the film's

power and purpose. The presence of a white man in chains, the historical contexts of its 1950s release and earlier setting, and the state-sponsored policing that fuel the film's plot oblige us to reconsider how *The Defiant Ones* uses the southern chain gang as its central figure. First, this figure results in continuity with the chain gang film genre's attempts to represent a system that is too brutal, stark, and broad in scope to easily capture in mainstream popular film, and, secondly, the chain gang's presence allows *The Defiant Ones* to transmit information about the abuses, brutality and racist nature inherent in the history and operation of convict labor systems for more than a century. And although *The Defiant Ones* is hardly alone among the capacious genre of crime films in organizing itself around a chase, the film is fairly unique in its ability to create sympathetic characters out of both fugitives and pursuers—specifically Sheriff Max Muller—and to highlight the diverse ways of understanding convict labor and chain gangs. Ultimately, these traits of the film stem from three models of spectatorship or audiences that it constructs: progressive whites grappling with the potential for racial harmony in the South and the nation, blacks who were all too familiar with the material reality of chain gangs, and, finally, film critics and film historians striving to reconcile these two sets of viewers so that *The Defiant Ones* can represent and critique southern social progress and economic modernization despite the film's reliance on a symbol of the region's divisive racial past.

In this chapter, therefore, I begin by defining the chain gang film genre and then discuss *The Defiant Ones*' production and contemporaneous reception and how that reception has continued to shape interpretations of the film to this day. By introducing a black convict laborer in a significant and sympathetic role, Kramer certainly intended to reverse the tradition of creating sympathy for the white protagonists of these films. And the tension between the two chained characters, and especially the black Noah Cullen's ability to voice his resentment toward

Jackson and other whites, does indeed depart from earlier chain gang films in which abuse suffered by black chain gang members was “naturalize[d],” since African Americans “were far more vulnerable to a government that accorded them neither political nor juridical representation.”<sup>9</sup> However, by doing so, Kramer allows history—film and material—to enter into the film through Poitier’s character and that of other, seemingly more marginal ones, especially Sheriff Muller and “Big Sam,” the turpentine camp leader who saves Cullen and Jackson from certain death by hanging. In the end, despite the film’s progressive reputation, the chain gang’s presence in *The Defiant Ones* hearkens to a seemingly bygone era that has never really passed, even today.<sup>10</sup> Consequently, the film turns out to be—like the chain gang itself—structured according to logics of racialized labor, racial *invisibility*, and restricted mobility.

### ***The Defiant Ones’* Link to the Past: The Chain Gang Film Tradition**

As Thomas Doherty writes, the headline-generating reports throughout the nation of brutality and torture in the Southern rural prison system throughout the 1920s and 1930s enabled chain gang films—more than twenty of them to date—to *seem* “uncompromising and outspoken.”<sup>11</sup> But the inability of these individual films to step back from the isolated stories projected on to the screen limited each film’s ability to comment on the extensive nature of the convict labor system and its widespread abuses. For film scholars, this kind of disconnection demonstrates the challenge of situating chain gang films simultaneously during their moments of production and in the history they propose to represent. Early chain gang films, with their explicit scenes of arbitrary violence and brutality, downtrodden white protagonists, and double-



crossing vixens, established the narrative conventions that Kramer inherited and was forced to contend with in making *The Defiant Ones*.

Probably the most important chain gang film for establishing the conventions of the genre was Warner Brothers' *I am a Fugitive from a Chain Gang*, which has been called "one of the most socially conscious films ever made about the prison system and the brutality of incarceration in the United States."<sup>12</sup> Based on Robert E. Burns's autobiographical account and exposé *I Am a Fugitive from a Georgia Chain Gang!* (1932),<sup>13</sup> the film version tells the story of James Allen, a decorated WWI veteran who returns home to his old life as a shoe factory worker with aspirations of becoming an engineer. After spending tedious, disillusioning days staring out his factory window in wonder at a construction project that provokes him to think of possibilities beyond his current condition, he decides to leave his hometown and winds up drifting around the country. Ultimately, after unwittingly becoming an accessory to an armed robbery, he ends up in a southern labor camp where he sleeps in narrow bunks chained to other convicts in tight quarters and is regularly punished by use of the "sweat box," lash, and medieval stocks. Produced after Hollywood's Hays Code involving censorship was adopted in 1930 but before it was implemented in 1934, *Fugitive*, directed by Mervyn LeRoy and starring Paul Muni—one of Warner's biggest stars and the lead actor in the original *Scarface*—was among a batch of films in which criminals were permitted to appear heroic on screen, and the film's makers took full advantage of this situation to create a sympathetic figure in Allen. By extension, they set a precedent for sympathy for hardened criminals as one of the key elements of chain gang films. By repeatedly portraying Allen as a victim of other's pernicious acts, coincidences or forces larger than himself, the film also allowed many of the genre elements of realistic and naturalistic fiction common in early twentieth century literature to make their way on to the screen.

To that end, *Fugitive* and *Hell's Highway*—released early in 1932 ahead of *Fugitive*—are considered among the “first true problem films,” in that these two films extend “rudimentary social analysis” into a sophisticated critique of the chain gang system as well as the criminal justice and penal systems. As Roffman and Purdy explain, *Fugitive* and *Hell's Highway* allowed the “prison cycle” films of the 1930s and 1940s to go from “mere topicality”—the use of current headlines and real life as a static backdrop—to something more like “social criticism.”<sup>14</sup> As Heather Ann Thompson has more recently argued, *Fugitive* “capitalized on a new spirit of penal reform in the North and contributed to the popular equation of chain gangs with the spectacle of racial degradation ... [t]he fact that labor exploitation of inmates in northern prisons was much more invisible meant far less public scrutiny and concern in that region.”<sup>15</sup> And specific to the chain gang, this issue appears to have been a safe bet for studios for a number of reasons, including the fact that, by this time, there was already widespread public and political opposition to this practice both in and outside of the South.

In addition, the fact that chain gang abuses could be represented as essentially, if not exclusively southern practices appears to have provided additional safe harbor from which filmmakers could launch their critiques. Graham argues *Fugitive* “blatantly criticized southern racism, not just visually detailing the racial segregation of the prison camp but making its white hero’s initial liberation dependent upon the assistance of a black inmate.” In *Fugitive*, a black convict named Sebastian—who from certain camera angles looks almost twice as large as the white protagonist—agrees to angle and time a hammer swing to secretly bend the hero’s shackles. The hero then slides the shackles off his ankles later and slips out of the camp and into the night. Graham suggests *The Defiant Ones* would extend that scene’s metaphor into the broader story of how the races’ “run toward freedom”<sup>16</sup> necessarily depended on each other.<sup>17</sup>

Not surprisingly, with a few notable exceptions, critical discussion of Kramer's film has therefore focused on its intention of representing a hopeful future for black-white relations. As Larry Langman and David Ebner flatly state in *Hollywood's Image of the South*, the film "turns into a metaphor for race relations in America—suggesting that we are all linked by a common history and we have to live together."<sup>18</sup> Even Kramer himself looked back upon *The Defiant Ones* as a progressive-liberal commentary on the early Civil Rights era and treated the chain as a *symbol* of interdependence and brotherhood between blacks and whites.<sup>19</sup> Sydney Poitier chimed in accordingly, testifying that the two "down-and-out characters" he and Curtis play are "interchangeable." And he goes on to call their differences "*very slight*" (emphasis in text), arguing that this difference "of one being white and one being black obscures all the other issues about the nature of society." Poitier concludes that laying "all of society's ills on racial differences is simplistic."<sup>20</sup> As Kramer himself said, "One of our principal story points in 'The Defiant Ones' is that the two antagonists learn that they must depend upon each other to survive. Thus the chain becomes the central symbol of our theme."<sup>21</sup>

Unfortunately, however, when we properly contextualize this very claim about the centrality of the chain's symbolism, its presence ends up undermining the optimistic renderings of interracial cooperation that the film is attempting to show. As I will show in my next section, film scholars and cultural historians need to examine the film by more strictly differentiating rather than conflating the history of blacks and whites in the American South around issues and experiences related to convict labor. Moreover, we need to recognize what was often carried along within the conventions of a genre that Kramer tried to readapt to promote his agenda of racial cooperation: filmic depictions of the chain gang's inherent brutality and violence, the race of the films' protagonists, and the nature of incarceration and policing in the South that the early

chain gang films sought to critique through the occasional use of a documentary style. *Hell's Highway*, for example, opens with a series of establishing shots of newspapers from Seattle and Los Angeles attesting to the acts of torture, strangulation, and even deaths on chain gangs and in labor camps, the last usually resulting from the use of the sweatbox. Then the following invocation appears written across the screen: "Dedicated to an early end of the conditions portrayed herein which, though a throw-back to the Middle Ages, actually exist today." So rather than identifying the chain gang as some kind of replacement or reiteration of American slavery as some recent writings on the subject have, *Hell's Highway* equates the chain gang instead with a barbarism that predates American slavery. This historical association is critical for prefacing a tight shot just a few moments later of rows of *white* feet in the segregated labor camp while the accents and depictions of segregation make it obvious that the film is set in the American South. By focusing on an all-white work crew, the film establishes both familiarity and empathy from its mostly white audience and the nation's dominant culture, which has demonstrated a limited will to improve conditions for blacks but may react more forcefully to images of exploited and abused whites on screen.

For their part, black convicts in *Hell's Highway* provide an alternative take on chain gangs by parsing the value of convicts along the color line. Early in the film, for example, a white captain hollers, "Hey you baboons, don't you know better than to leave them mules out in the sun?" And a black convict taking the reins and leading the mules away responds: "Yes sir, Boss sir, mules cost \$40 a head and convicts don't cost nothin'." Although the black convict means to challenge the system's treatment of *all* convicts, regardless of race, as worthless in financial terms—and, by extension, social and human terms—the film, of course, shows its viewers otherwise. Through their work songs, satire, and comic relief, black convicts are

relegated to a kind of Greek chorus that is a fixed element of the labor camp, while white convicts become sympathetic figures. Specifically, we learn later that the film's white protagonist, bank robber Frank "Duke" Ellis (Richard Dix), is undervalued for his contribution to the country while the black convicts remain unworthy of protection from the chain gang system. Like Burns, Ellis is a WWI veteran. When a guard is ordered to lash Ellis, his exposed back reveals large tattoos of an American flag and rainbow and "42<sup>nd</sup> Machine Gun Co. 167<sup>th</sup> INF." The guard cannot bring himself to desecrate the flag or decimate Duke's back.

This scene parallels a scene in *Fugitive* in which the protagonist tries to sell medals from his military service only to be dismissed by a pawnbroker who already has such trinkets in abundance. These scenes suggest men such as Ellis and Burns do not belong on chain gangs—either because of their potential contributions to their country or society or because of the unfair circumstances that led to their sentences—while their black counterparts are ideally suited for such conditions. With *The Defiant Ones*, Kramer and his collaborators attempted to go against the grain of this essential genre convention while still inviting viewers to recall the invocation to social consciousness of *Fugitive*, *Hell's Highway*, and the other 1930s chain gang films. Even though Kramer resists and, at times, even reverses these conventions—most notably the exclusive whiteness of their protagonists and any explicit renderings of violence and brutality directed at convicts—these images are never far from the minds of his audience. The chain gang film dictates that viewers recall scenes of despair, abuse and injustice against whites while continuing to acquiesce in such conditions for blacks. Inevitably, such scenes await Cullen, who is apprehended in perfect health, while Jackson, who has perhaps been mortally wounded by his gunshot wound, may escape from the chain gang yet. This time around, the invitation to white audiences to sympathize with "bad guys" as "good guys" is complicated by the need not only to

identify with a fellow downtrodden white man as protagonist, but also to replace their longstanding antagonism toward blacks with sympathy and understanding.

### **Text in Context: *The Defiant Ones* in the Age of Civil Rights**

By the time *The Defiant Ones* reached theaters in the late 1950s, the nation had moved on from the combined trauma of World War I and the Great Depression and fought in a Second World War that created a national “wartime consciousness” that “permeated the twentieth century and [has] persisted into the twenty-first.”<sup>22</sup> The country felt it had arrived at an historical moment of reconfiguring a unified national identity fraught with racial fissures. And at this moment, Poitier had become “the Martin Luther King of the movies.” In fact, by 1964, when King won the Nobel Peace Prize and Congress passed the Civil Rights Act, Poitier’s Academy Award for *Lilies of the Field* would solidify his position as Hollywood’s response to the Civil Rights Movement.<sup>23</sup> Ultimately, Poitier’s success depended on the relationship between entertainment and reality and the public’s willingness to allow movies explain the complicated nature of American race relations, despite their limitations and role as works of art and not prescriptions for policies.<sup>24</sup>

Appearing within a few years of the 1954 Supreme Court decision on school desegregation in *Brown v. Board of Education*, the 1955-1956 Montgomery bus boycott, and the 1957 integration (with the aid of federal troops) of Little Rock’s Central High School though, *The Defiant Ones* was produced and released at a time when issues surrounding segregation were moving to the forefront of conversations about race, especially but not only in the South. And even though the film with its pre-1950 setting makes no mention of these early Civil Rights Era

events, *The Defiant Ones* is a message film that would have been impossible to make even just a few years earlier. The film needed these historic events to set up Kramer's attempt at representing a biracial coalition in the face of incredible obstacles.<sup>25</sup> And the message appears to be intended as a form of protest against resistance to desegregation and equality that these dramatic changes in race relations were wreaking throughout the nation; however, in these earlier stages, racial protests and particularly protests that resulted in violent police responses were garnering the greatest attention in the American South.

Indeed, in retrospect, it appears that the film's promoters knew Kramer and his company had provided them with an apparent message that could offer both critical and box office success. To promote *The Defiant Ones* ahead of its 1958 American release, United Artists produced an oversized, splashy press book for theater owners that included a multi-week, multi-faceted campaign designed to generate "[c]ontinuing and cumulative excitement" through "wide-ranging exploitation involving contests, cross-plugging, song bally, street stunts, lobby displays ... AND intensive post-opening exploitation that concentrates on the rave reviews, sermons, endorsements, recorded audience comments, co-op store ads and music saturation."<sup>26</sup> Calling the campaign "a blueprint for a record-smashing engagement," United Artists' campaign was designed to begin four weeks ahead of the film's local release and continue right through its opening and run. (See Fig. 2) Most of the highlights from the press book were drawn from the film's national Premiere at Chicago's Roosevelt Theatre. In one photo, director Kramer crowns an attractive African-American woman as "Miss Defiant Ones."<sup>27</sup> In another photo, two men—one black and one white—walk in Chicago's Bud Billiken Day Parade chained together. (See Fig. 3) The film's promoters suggest theater owners do the same thing if there is a local parade in their towns and cities when the film opens.<sup>28</sup>

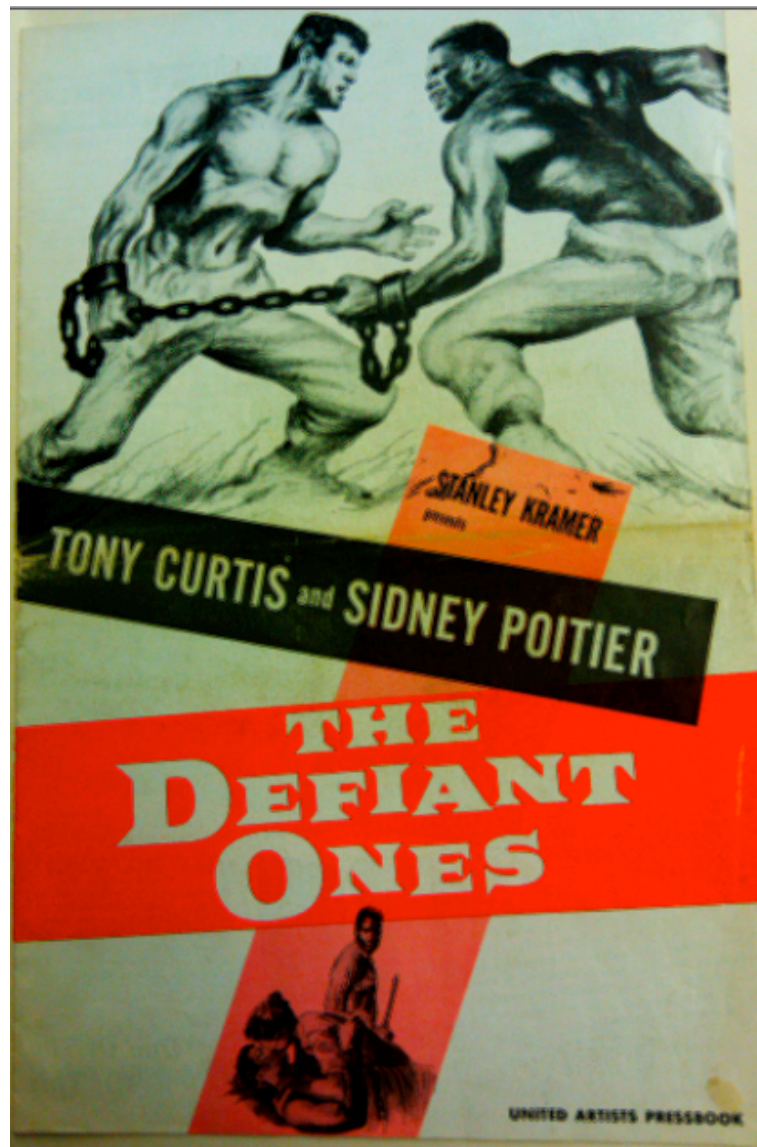


Fig. 2 United Artists Pressbook for *The Defiant Ones* (1958)



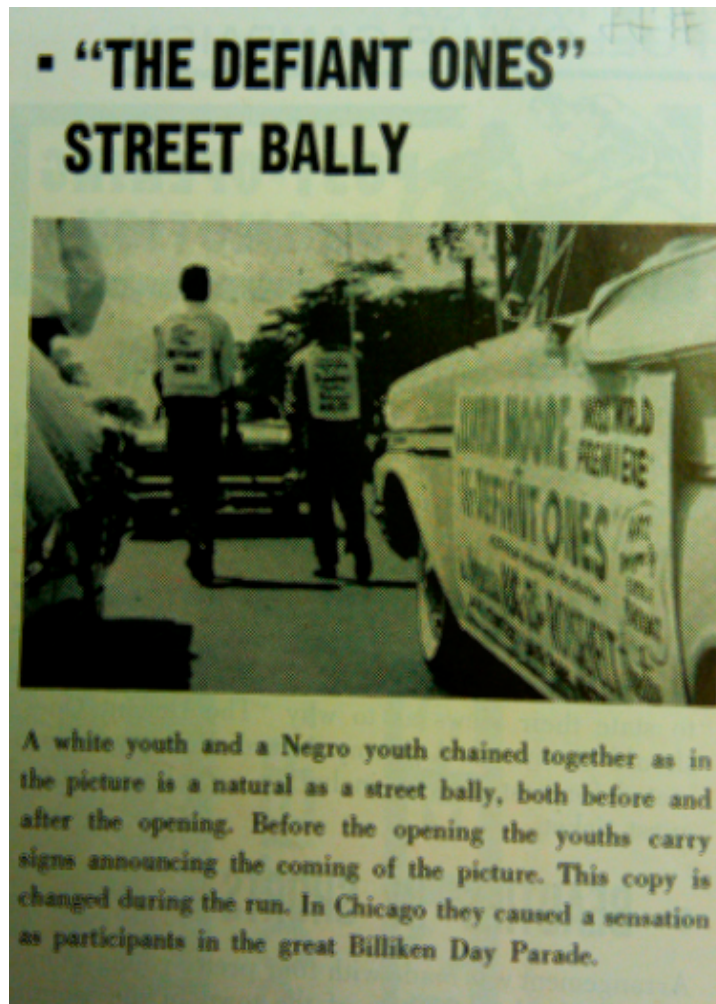


Fig. 3 Among the promoters' suggestions, included encouraging male-male interracial pairings to march in local parades chained together in advance of the film's arrival in their towns.

Even despite its many flashy and perhaps frivolous forms of promotion, however, elements of the campaign focused unashamedly on the apparent political-protest message of the film. For example, the film's promoters recommended honoring a local "Defiant One"—a community activist, teacher, minister, lawyer, "or any public spirited citizen." In Chicago, for example, the press book explains how the film's promoters honored an attorney who had "a 30-year record fighting against extradition of chain-gang fugitives." According to the press book,

“Newspapers gave it the full treatment.” The hype surrounding the film provided journalists with all kinds of approaches. As a writer in the *Chicago Defender* put it during lead up to the film’s August 1958 Premiere in that city, the “29-inch chain binding together Tony Curtis and Sidney Poitier ... has taken on the stature of a full ‘co-star’ in the film.”<sup>29</sup> And a pretty costly one at that: *Jet* magazine reported that “based on research, rehearsal time, and cost of manufacture by hand,” the chain cost \$1,280—or nearly \$10,000 in 2011 dollars.<sup>30</sup> The film went on to win Oscars for Best Original Screenplay as well as Best Cinematography, Black-and-White, in a year when the Academy distinguished between color and black-and-white filmmaking.

Soon, passionate and fervent critical praise propelled *The Defiant Ones* to moderate box office success,<sup>31</sup> and by the fall of 1958, it became apparent that even more was at stake in the success or failure of *The Defiant Ones* than simply ticket sales or Academy Awards. Given its success at international festivals, at least one report credited the film’s portrayal of interracial cooperation with improving the United States’ tarnished image abroad. At a film festival in Mexico City, a correspondent to the *New York Times* reported that the film helped the United States score “a diplomatic triumph” when the catcalls and whistles that had been greeting any announcements connected to the United States were replaced with repeated and enthusiastic applause from a crowd of 8,000 throughout their viewing of *The Defiant Ones*.<sup>32</sup> This reception seemed to reverse the otherwise anti-American tenor of the event. Describing the opening day parade of the nine flags for the countries represented, the *Times* had distinguished between the “hisses, catcalls and whistling” scattered throughout the balcony that had greeted the arrival of the United States’ flag and the way “the balcony roared with prolonged applause” at the sight of the Soviet flag. Now, the applause suggested the turnabout race films might accomplish.

Of course, most reviewers were oblivious to the geopolitical ramifications *The Defiant Ones* might have played in the staging of the Cold War. Most critiques were more focused on the film's commentary on domestic race relations. In a representative review, Bosley Crowther of the *Times* lauded the film as a "remarkably and dramatic visualization of a social problem—the idea of men of different races brought together to face misfortunes in a bond of brotherhood." Joining his voice to a chorus of such reductive readings, Crowther contends, "These two men, who think they are so profoundly different, are in basic respects the same." And with the kind of optimism that pervaded mainstream reception of the film, he concludes, "In the end, it is clear that they are brothers, stripped of all vulgar bigotry."<sup>33</sup> Despite the fact that black audiences may have been disappointed with the film's ending—in which Poitier gives himself up by jumping from a moving freight train to reunite with a wounded Curtis—the African-American press itself seemed perfectly satisfied with the film. For example, the reviewer for *Jet* called it "brilliant" and suggested that after the chain that binds the two lead characters breaks away the two men "find that color has disappeared, too, and they are at last held together by an even stronger chain of brotherhood." Based largely on that sentiment, the magazine calls *The Defiant Ones* the best message film ever made.<sup>34</sup>

### **Kramer's "Inadequate Attempt": Making Sense of the Color Line at Mid-Century**

Needless to say, not everyone got the film's intended message or appreciated hearing it. In Bessemer, Alabama, for example, local police forced a "Negro drive-in theater manager" to cancel a scheduled showing of *The Defiant Ones*. The manager said he was told the film could not be shown until the Bessemer Board of Censors reviewed it.<sup>35</sup> And about 90 miles deeper

south, in Montgomery, one theater owner canceled a one-week run of the film “after receiving a telegram from the White Citizens Council that branded the picture pro-integration, anti-South, and Communist-inspired.” The president of the White Citizens Council explained his group’s stance: “We just don’t like it. We think it’s a dangerous film.”<sup>36</sup> In the estimation of Poitier biographer Aram Goudsouzian, the “dangerous” nature of the film derived from Poitier’s portrayal of Cullen as an African-American ready to challenge the existing structures of society that sought to perpetuate the oppression of his people. For his part, Poitier acknowledged this situation but saw no real alternative to the self-sacrifice expressed at the end of the film. “Now, if I’d been in my character’s shoes, in real life, what would I have done?” Poitier writes in his memoir, referencing his fateful leap from the northbound train. “Truth is I’m not altogether sure where I would have come down,” he reflects.<sup>37</sup>

Even by Kramer’s own admission, *The Defiant Ones* “was merely an inadequate attempt by a white filmmaker to deal with a contemporary problem.”<sup>38</sup> But part of the inadequacy of the film was, ironically, in its contemporary nature. And in Kramer’s defense, *The Defiant Ones* is limited by its placement within an historical moment violently and unsuccessfully grappling with the very issue of racial cooperation that it attempts to represent and promote. So Kramer finds himself confronting the same histories that lead to his present problem, and that is a daunting, perhaps insurmountable situation for any work of art, but especially for one that is trying to subvert the historical narrative of convict labor—certain forms of which Pulitzer-Prize winner Douglas Blackmon has called “a gaping omission in American history”<sup>39</sup> even as chain gangs have pervaded the personal histories of countless black families and the collective imagination of writers, filmmakers, and other artists for more than a century. Consequently, when we understand a model of culture wherein texts have histories—both within their genre category and

in the social and political histories they depict—we can see a *hidden history* of the chain gang, the South, and American race relations by paying attention to the various depictions of the chain gang in *The Defiant Ones*. And our best guide to the consequences of those histories is James Baldwin. In *The Devil Finds Work* (1976), his extended essay on Hollywood and race, Baldwin attempts to come to terms with *The Defiant Ones*, arguing that “[t]he irreducible difficulty of this genuinely well-meaning film is that no one, clearly, was able to foresee what Poitier would do with his role—nor was anyone, thereafter, able to undo it—and his performance, which lends the film its only distinction, also, paradoxically, smashes it to pieces.” Baldwin concludes, “There is no way to believe both Noah Cullen *and* the story.”<sup>40</sup>

This paradox is attributable as much to the film’s two stars and their respective performances as it is to their racial differences. Kramer’s original hope of casting Marlon Brando opposite Poitier and his decision to settle for Curtis is well documented. After the fact, Curtis himself reportedly joked that Kramer hired him “because Brando wanted to play the black part” and Kirk Douglas wanted to play them both.<sup>41</sup> Of the eventual casting of Curtis, Kramer remarks in his 1997 memoir, “I can’t deny there was at least an element of desperation in my thinking. By this point I had gotten around to considering several actors who made Tony Curtis look like Laurence Olivier.” Kramer, his advisors and friends in Hollywood questioned whether Curtis could hold his own alongside “an actor as forceful as Sidney Poitier,” a concern no one had about Brando. “The very thought of watching Brando and Poitier confront each other was enough to put you in producer’s heaven,” Kramer recalls. “It was overwhelming to envision two such powerful personalities chained together and having to figure out how to cope with each other. It almost seemed that you wouldn’t even need a script. Just turn on the cameras and let things happen.”<sup>42</sup> Yet despite the lopsided nature of the two actors’ talents, consistent with racial

attitudes inside Hollywood and across the nation, it was Curtis' contract that specified his name be placed above the title on the film's posters and promotional materials. Curtis later remedied this situation by asking to share top billing with Poitier, a move Poitier's biographer calls a "generous gesture" after which "Poitier officially became a star."<sup>43</sup>

Poitier's superior performance and elevation to star status coupled with Curtis' lesser performance lays the groundwork for Baldwin's objection to the film's premise—that a black man and a white man could overcome their deep-rooted and historically informed hatred if they had to in order to survive. Baldwin finds this idea "impossible to accept," because it is "based on the profound misunderstanding of the nature of the hatred between black and white" rooted in post-Reconstruction maltreatment and extending into the 1950s, when the film was made. Baldwin claims that although there is hatred on both sides, this hatred has different roots. The white man's hatred is rooted in "terror, a bottomless and nameless terror, which focuses on the black, surfacing, and concentrating on this dread figure, an entity which lives only in his mind." On the other hand, "the root of the black man's hatred is rage, and he does not so much hate white men as simply want them out of his way, and, more than that, out of his children's way."<sup>44</sup>

For Baldwin, the disconnection both within the film between the two main characters and between the film and its audience may very well result from most whites' ignorance of the material reality of chain gang life and other forms of forced servitude and lockdown. No matter how well Curtis performs—and it is doubtful Brando or Kirk Douglas could have overcome this pitfall either—the better Poitier acts, the more believable, sympathetic, and tortured his Cullen appears than his white counterpart ever could. And this evocation of sympathy and depiction of torture drives the machinery of the film and forces all of its viewers—regardless of their racial identities—to confront the cruelty and historically unequal use of convict labor to control blacks

and maintain a particular racial order and hierarchy. But it does not really matter that the film fails to be as liberal or progressive as Kramer and his colleagues intended. After all, *The Defiant Ones* is a film and not a policy paper or manifesto. It is a piece of art. What does matter is how Kramer, Poitier, Curtis, and the film's other creators advance the chain gang film genre into the 1950s and demonstrate the way its message adapts to the particular cultural and even political and social needs of this critical moment. For its part, *The Defiant Ones*' exploration of racial tension and difference actually reverts to aspects of the material history of convict labor that predate the 1930s protest films with their white protagonists. In so doing, Kramer's film undoes what was, at best, simple ignorance, and, in the worst case, the successful masking of the racist ideology that undergirds chain gangs and convict labor in America. In other words, by placing a black convict and a white convict on equal footing within the convict labor system, *The Defiant Ones* winds up illuminating the history of inequality associated with that system.

As Baldwin explains, the "black man knows that two men chained together have to learn to forage, eat, fart, shit, piss, and tremble, and sleep together: they are indispensable to each other, and anything can happen between them, and anyone who has been there knows this."<sup>45</sup> Baldwin's statement here implies two conclusions. First and foremost, to Baldwin, no white man can completely comprehend the nature of this inherent dependence not just for the purposes of cooperation or advancement but at the most fundamental level of day-to-day life. Simply put, too many white people lack an empirical understanding of chain gang conditions that are all too familiar to blacks, especially in the South.<sup>46</sup> Secondly, Baldwin posits, every black man can comprehend the chain gang experience by virtue of his own direct experience or the telling and retelling of such conditions and realities within his family and community. As Baldwin explains, Poitier's Cullen and Curtis's Jackson appear to be in equally miserable straits in *The Defiant*

*Ones*, but their individual stories are far too dissimilar to suggest one can adequately understand the other's plight. Jackson's "only real complaint is that he is a bona-fide mediocrity who failed to make it in the American rat-race."<sup>47</sup> While on the other hand, Cullen contends with greater demons wrought by a more oppressive society and history.

The sheriff recaptures both men and viewers are then left to contend with the convicts' joint failure to escape. As Poitier himself admitted, *The Defiant Ones* "took some heat" and "a good portion of the controversy came from my friends in the black community," presumably a reference to Baldwin's critique though Poitier fails to name his black critics here.<sup>48</sup> Even Kramer later acknowledged letting the "soul" of Poitier's character, in particular, slip through his fingers.<sup>49</sup> (As Hernán Vera and Andrew Gordon argue, the film "may paradoxically work as a way to assert the white self and contain black aspirations."<sup>50</sup>) In all likelihood, the soulfulness of the black experience that evaded Kramer's grasp was the result of the tradition of suffering and sacrifice bound up in hidden histories of the chain gang film. By 1958 the chain gang had become a cliché among filmmakers. However, by interlocking freedom for blacks with freedom and progress for whites, *The Defiant Ones* tries to move blacks out of the representational realm of "unfreedom" that Leigh Anne Duck references in her discussion of *Fugitive*. Familiar scenes of solidarity and interdependence involving Poitier and Curtis's relationship are complicated by the divergent experiences of Cullen and Jackson dictated by their respective races. These scenes and this film, particularly when read against the backdrop of convict labor, point up disparity between the races that result in disparate readings of the film. Consequently, a complete understanding of the film is only possible when we take into account why and how the presence of the chain gang affects the film's message and meaning for different viewers.



When we fail to consider the way the history of convict labor wends its way into *The Defiant Ones*, we imagine we can look past race and attribute the downtrodden conditions of Cullen and Jackson to poverty or class. After all, this was Kramer's implied message in the film: that past conflicts or skin color should not forestall racial cooperation. Yet Kramer's use of the chain gang serves as more than a convenient metaphor for binding the characters or as an effective plot device. Indeed, this ameliorative reading of the film, even as it follows Kramer's cues, ignores two critical dimensions of convict labor history. First, it ignores just how significantly convict labor worsened the conditions for blacks in the South and the nation by unfairly exploiting black laborers and, in its worst forms, abusing, brutalizing, and even murdering them. And secondly, it ignores the way Poitier's character stands in for not just that labor, but for how black identity and political mobility were policed in the modernizing South. That is, the presence of the chain gang also connects *The Defiant Ones* with a particular style of "white policing of black populations" that has, as Homer Hawkins and Richard Thomas write, become "an integral component of each stage of white racial dominance of blacks."<sup>51</sup> Rooted in nineteenth century slave patrols that extend into early twentieth century state guards, this model for controlling blacks—slaves and free—through white policing has a complex and powerful history.<sup>52</sup> Indeed, I have suggested in earlier chapters, many southern progressives—and surprising as it may seem, we might consider Sheriff Muller as the placeholder for this position—viewed the control of black labor as a necessary component of rebuilding and then modernizing the American South after the Civil War. And policing became vital to that modernizing project by providing the political and legal structures both for social order and segregation and, in many cases, delivering free and disposable workers to some of the region's most labor-intensive industries and operations.

In a sense, convict labor trapped the South in a paradox with regard to progress: the region's hopes for a brighter economic future relied on an available supply of cheap labor on one side, and the racist exploitation of that labor on the other. Many Southerners and Northerners, of course, remained blissfully ignorant about what was going on deep in the region's woods and swamps and even below the ground's surface, in the form of extensive mining operations in and around Birmingham, Alabama, the Georgia hill country, and other parts of the South. Although *The Defiant Ones* offers numerous scenes to indicate the South's development away from its agrarian past, the film relies on its rural backdrop to evoke a common trope of the agrarian south as a backwards, stunted region. For example, after surviving one water hazard in the form of a raging river, Cullen and Jackson leap into a clay pit that is filling with rainwater near what appears to be a steam shovel stuck in the mud—a vexing image of stalled progress. The transitional and incomplete nature of southern modernity rendered in the scene is even brought into relief by the passing of the horse-drawn carriage that precipitates Cullen and Jackson's leap into the flooding hole in the first place. And instead of cotton fields and nondescript rock-breaking, the film offers up a well-established turpentine camp with permanent structures inhabited by a community not of convict laborers or even solitary backwoodsmen but a settlement of men, women, and children. Later, the plot centers on absconding in an automobile, or catching a train. In fact, Cullen and Jackson's ultimate goal of reaching a passing train—one that Cullen knows about from working a turpentine mill more than eight years earlier—indicates a modern infrastructure that came into being in large part through the toil of leased convicts.

Again, the film's message offers up two sides of the same story. Southern modernization for whites seems like a natural byproduct of reconciling the region with the rest of the nation as the existence of two competing notions of national identity—one agrarian and the other

industrial—appear to be melding into one shared consciousness. By extension, a symbolic reading of the chain binding the film’s two heroes becomes an essential next step in healing the internal divisions of the region to make it a less glaringly violent and destructive entity so the South can be re-assimilated under the banner of national unity. However, a black historical reading of the chain gang’s presence in *The Defiant Ones* and convict labor’s larger role in the modernization of the South recognizes that chain gangs and black convict labor have resulted in a disproportionately unjust sacrifice for a population that by 1958 is not benefiting or getting paid back for the sacrifices of current and previous generations. Augmenting this situation is the role that policing unavoidably plays in southern progressivism. The implication is that chain gangs and convict labor existed not to expedite economic progress but rather to ensure social order and personal safety, and eventually the two became impossible to parse.

As a result of these two competing perspectives and in the midst of what might otherwise seem like a plot twist—a melodramatic chase complicated by the fugitives being chained at the wrist—*The Defiant Ones* actually crystallizes the history of policing and chain gangs into the hybrid form we see: a militia of civil and civilian authority represented by the county and state *posse comitatus* led by Sheriff Muller and Capt. Gibbons. In addition to economic arguments for convict leasing and public works chain gangs, racist ideology had undeniably provided the foundation and fuel for both these posses and the penal institutions that relied on them. But unlike the 1930s chain gang films that resort to depicting unredeemable and tormenting overseers and camp bosses, *The Defiant Ones* explores the ambiguities and contradictions of white policing and criminal control. And although these forms are less provocative and spectacular than their melodramatic counterparts, they may be more important for understanding

the seemingly unending expansion of police powers in America, especially with regard to the criminalization of black men.

*The Defiant Ones* puts three distinct forms of policing on display, and the film's treatment of the police—ranging as it does from slapstick to thoughtful commentary—departs from the archetypes of brutality and backwardness rendered in earlier chain gang films. This move restores those associated with convict labor—whether law breakers or law enforcers—to individual participants with limited ability to perpetuate or resist the system. As a result, *The Defiant Ones* ironically makes possible a more realistic, systemic evaluation or critique of convict labor and chain gangs through a closer look at its scenes of surveillance, control, and policing. First, two years before Andy Griffith began to enforce the law in fictional Mayberry, North Carolina, Academy Award nominee Theodore Bickel, as Sheriff Muller, soft-pedals his way through most of the film's chase before finally becoming overwhelmed by the various legal and extralegal machinations that surround him. If the central tension of *The Defiant Ones* involves the relationship between Cullen and Jackson, a subtle but no less important tension involves Sheriff Muller and the task assigned to him—the potentially cruel act that is vivified by Gibbons, the film's impromptu army, and its pack of tracking and attack dogs. In turn, we soon discover that Muller must navigate between the militaristic model of policing upheld by Gibbons and his professional and amateur deputies on one side, and a third option—the potential anarchy and misrule wrought by the mob rule of the turpentine camp lynch mob on the other.<sup>53</sup>

When one of the volunteer deputies suggests that what they are about to do is “just like runnin’ rabbits,” Muller—who Dave the reporter later calls a “stubborn Dutchman” for resisting the volunteers’ “help”—harshly scolds his hunting buddy. “These are men,” the sheriff insists. “Men and rabbits, same thing? It’s *not* the same thing.” (In fact, Muller’s frustration and his

hesitancy to make use of willing volunteers paralleled a case in Talladega, Alabama, in which a militia formed only to be disbanded by the local sheriff who opposed the group for fear that it undermined his legal authority.<sup>54</sup>) Although Muller does not initially view the militia or Gibbons as a threat to his authority, he does skeptically view them and their Jeep, bloodhounds, and muscled Doberman Pinschers as signs of hysteria, and perhaps even a greater threat to the preservation of order than either Cullen and Jackson or the lynch mob he encounters later in the film could ever be.

Despite these internal divisions, however, including militia among the more formal police represented by Muller and Gibbons reveals a common cause that was articulated, for example, in Georgia's 1940 *Organization of the State Defense Corps*. Among the purposes for a state defense corps—a militia that could be called into being by state military departments—the publication lists assisting “in the preservation of peace and good order.”<sup>55</sup> As innocuous as this description may read today, history suggests that “the preservation of peace and good order” frequently meant, as Hawkins and Thomas write, “the white police-force was allowed and often encouraged to ‘keep niggers in their place.’”<sup>56</sup> During times of war, in particular, there were widespread fears—usually overblown—that foreign enemies might infiltrate the country. And in the first half of the twentieth century, just prior to the production and release of *The Defiant Ones*, these concerns had increased the interest in local and state militias in the South and elsewhere. Following custom, unwarranted attention was directed at blacks. In Mississippi, for example, there were widespread rumors German spies were organizing blacks for an uprising or race riot that never came to pass.<sup>57</sup>

Ultimately, this tradition of white policing ended up echoing earlier fears about black uprisings in the form of slave revolts before the Civil War—even when policing was cast as a

“progressive” necessity. The response of whites to these possibilities was best summed up by an Alabama planter and lawyer soon after the Civil War who said, “We have the power to pass stringent police laws to govern the negroes—This is a blessing—For they must be controlled in some way or white people cannot live amongst them.”<sup>58</sup> Coupled with fear and whites’ assumption of their own superiority, this kind of racism led states to pass a series of laws over the course of decades that created an overarching legal framework to control southern blacks.<sup>59</sup> Again, these laws were framed as addressing the labor supply and in the minds of some southerners perhaps that was their sole purpose.

But undeniably these same laws also resulted in controlling blacks and forestalling their social, economic, and political progress for generations. What should have been strictly business arrangements came to be viewed as pitting whites against blacks in a manner that criminalized the latter. For example, when a black laborer chose not to work or tried to leave one employer to work for another who might be less cruel or pay him more, this breach of contract was treated as a criminal act rather than a civil disagreement. So in the end, any issues related to freedom, fairness or cruelty became irrelevant. The black laborer had to keep an uneven promise or face the threat of the chain gang. And this sense that violations of civil contracts were somehow injurious not just to a particular group of employers, businessmen, or planters but to society writ large ultimately led to the construction of modern black criminality. In other words, unwillingness on the part of blacks to accept redesigned but still servile roles in a modernizing South was perceived as a threat to “peace and good order.”

With the laws in place to legitimate and reauthorize their power to police well into the twentieth century, a kind of “policing syndrome of the dominant white population” came into being, whereby *any* individual white person was “endowed with the power to exercise or abuse

his power as he saw fit.”<sup>60</sup> Into these conditions and against this history, Poitier’s Cullen enters through *The Defiant Ones* to embody the particular fears of a black man on the run—fears that are distinct from those felt by a white fugitive. For Jackson, Cullen’s white partner in crime, does not share in this condition until he too gets caught in the racial webbing of the convict labor system and must forfeit the privileges of his whiteness. When Jackson suggests the two men seek out an old girlfriend of his in a nearby town that might help them break the chain, Cullen objects, “Pineville’s south ... I don’t go south.”<sup>61</sup> Curtis explains that his plan is the convicts’ best chance for breaking the chain, only to have Poitier interrupt, “And then what? I’m a strange colored man in a white South town. How long you think before they pick me up?”<sup>62</sup> For Poitier but not for Curtis, traveling north may yet prove more arduous and risky—either a long, indirect route around a swamp or directly through one filled with “bogs and quicksand”—but the risks for him of remaining or venturing deeper south are far too high to even consider.

### **When a Chase Becomes a Hunt: The Difference between “Men and Rabbits”**

As I have said, Stanley Kramer’s intention was to point to a common history between blacks and whites in the South’s past: to see past race and to create a hopeful mid-century narrative about common goals for the future. But in fact racial cooperation in the film is tenuous and far from egalitarian. Unavoidably, the film struggles to bring together quite divergent histories and attitudes about race that persisted into the Civil Rights Era. Upon closer examination, then, Kramer actually concedes to cracks in his dream of interracial cooperation. Indeed, in its depiction of multiple layers of local and state government and law enforcement, including the militia, and the dual characters of the sheriff and turpentine camp overseer “Big

Sam,” *The Defiant Ones* calls up divisive issues related to the policing of black criminality and identity. The film also interrogates notions of spectacle related to white racial identity through its lynching scene. And finally, *The Defiant Ones* reveals the dramatic differences between class- and race-based mobility in America since the early twentieth century. And it does all of these things by selectively incorporating elements of other chain gang films that were far more realistic than Kramer’s seemingly ameliorative vision.

The film’s plot revolves around the relationship of the two escaped convicts and the unresolved tension between them. But as I have suggested, *The Defiant Ones* lays out a second, apparent and, at times, even comedic tension between Muller’s patient and humane approach to the chase on one hand and, on the other, Gibbons’ blitzkrieg. But before the interplay between Muller and Gibbons can reach what amounts to a compromise on Muller’s part, the film actually begins to show us that race is the crucial element within Cullen and Jackson’s flight. From the outset of the film, importantly, it is Muller’s character that establishes a satiric commentary by taking a speculative swipe at Warden Comisky. Dave the reporter asks the sheriff, “Hey Max, how come they chained a white man to a black?” And the sheriff deadpans, “The warden’s got a sense of humor . . . [Comisky says] not to worry. . . . ‘They probably kill each other ‘fore they go five miles.’” Of course, Muller is sufficiently skeptical of the warden’s prediction to continue with his preparations, but he is also experienced enough to know that the success or failure of the chase will have little real consequence. Because the netting of policing is so broadly cast that if the two men are really a threat to anyone other than each other, they will eventually return to the chain gang and become cordoned off from society once again.

As outlined above, the message of *The Defiant Ones* posed a particular threat to 1950s racial ideology and ordering. On screen, Cullen and Jackson face challenges that force them to



forge a cooperative arrangement that was unpalatable to segregationists in the South and elsewhere. The first, and perhaps most dramatic and spectacular, involves the crossing of a raging river. The scene serves three purposes related to establishing the narrative and thematic trajectory of the film. First, it demonstrates just how high the stakes for the two lead characters' cooperation can go. Their escape is a life-or-death game playing out on location in a California countryside intended to invoke a southern landscape with bloodhounds and Dobermans gaining ground.<sup>63</sup> Secondly, as Donalson's comparison to literary naturalism suggests, the violent rapids and the interspersed rocks that serve as both obstacles and anchors provide a fixed terrain around which Cullen and Jackson are being pushed along by forces greater than themselves. Third and finally, the progress both down and across the river provides a time-lapse process of emotionally bonding the two men.

The scene opens with an establishing shot of the chain stretched nearly to its full length with shackled wrists and separate black and white fists clenched on opposite ends. Rapids raging below the chain provide disquieting diegetic sound. In addition to this effect—representing the jarring “noise” of this turbulent time—the currents Cullen and Jackson are fighting invite viewers more than fifty years after the film's release to place *The Defiant Ones* alongside other emblematic images of the Civil Rights Era. For example, we might imagine *The Defiant Ones*' waters of 1958 as a preamble for Eugene “Bull” Connors' Birmingham fire hoses of 1963. Likewise, the release of Cullen's firm hold occurs simultaneously with Jackson's decision to trust his partner and makes progress between the rocks possible—a gesture some might liken to the effort to ease tensions between blacks and whites during this period in the nonviolent manner advocated by Martin Luther King, Jr., and other Civil Rights organizations and leaders, such as

the Southern Christian Leadership Conference (SCLC) and the Student Nonviolent Coordinating Committee (SNCC).<sup>64</sup>

In the conventional readings of the film, then, the centrality of the chain in the scene and the hair's breath success of the convicts' crossing establish the liberal white agenda of the film's message—that if racial injustice and maltreatment of blacks continues unabated, whites too will inevitably suffer. But the possibility of this bond functions more like a prerequisite than an outcome for the tense confrontations and conversations that animate Cullen and Jackson for the remainder of the film. Even by the end of this very scene, the history and practices associated with convict labor and an earlier time in the South resurface and challenge optimism about the biracial coalition imaged. Throughout the scene, Cullen pulls Jackson behind him as he climbs over rocks and attempts to cross the river. Then, when the two chained men venture toward the next stable rock—again with Poitier taking the lead—Poitier lunges, slips and is forced downstream. Despite his best efforts, Curtis loses his grip and the two men hurl down the river together, bobbing up and down swept by the rapids. On numerous occasions the white Jackson can be seen mounting or riding on Cullen's black back. Then, Jackson draws Cullen out of the water first by his armpits and then by wrapping the chain across the front of Cullen's neck.<sup>65</sup>

However, the finale of the scene is telling. Not only does the apparent "saving" of Cullen uncannily result in the appearance of strangulation that foreshadows an image of lynching that will return in an important later scene, but also Cullen's physical trials—his head cracking into a tree along the riverbank—makes the saving possible. In addition, in spite of his own efforts and obvious sacrifice, Cullen—gasping for air and lying flat on his back—decides to thank Jackson. When Jackson asks, "What for?" Cullen responds, "For pullin' me out." Jackson responds sarcastically, "Man, I didn't pull you out. I kept you from pullin' me in!" So rather than a

transformative experience for Cullen, Jackson is actually unable to view the men's ability to escape the raging river as a model of collaboration and coalition. In the absence of a major threat to his safety, Jackson would hardly be motivated to work with Cullen in the future or aid him in any way. Moreover, Jackson's inability to understand the broader implications of racial injustice born by African-Americans—after all, like Kramer, he's "*not black*"—leaves him unable to apply the lessons taught by the river crossing. In fact, he and everyone else associated with the film appear to ignore one important lesson about this famous scene. Jackson may have pulled Cullen out of the river to keep from getting pulled back in, but it is Cullen's labor, the exhaustion that results from it, and the cracking of *his* head that makes this move possible. And even then, Jackson fears being "pulled in"[to] Cullen's identity because, as this scene demonstrates, the results would be too costly and devastating.

In scenes like this one then—despite its exciting melodrama, pivoting around two recognized movie stars—*The Defiant Ones* also illustrates how chain gangs set boundaries around the dual contagion of criminality and blackness. And the particular onscreen racial mixing of Poitier and Curtis, while attempting to place a black man and a white man on equal footing, subsequently results in the decline of Curtis's white character to the natural state of "unfreedom" associated with Poitier's Cullen. Jackson's situation is similar to that of the risk taken by former convict lessee Capt. George McBane from Charles Chesnutt's *The Marrow of Tradition* (1901). Though Jackson's position is quite different from McBane's, and less a matter of conscious choice, again we see a character whose claim to whiteness is threatened by his connection to a black man. The situation of being chased down by the local sheriff and the state police captain suggests the common threat. As does, as we shall see, the response of the leader of a lynch mob to Curtis's pleas for mercy on the basis of his whiteness.

The events leading to this critical lynching scene, which follows the convicts' calamitous failed attempt to burglarize a store, allow *The Defiant Ones* to teach two lessons that marry the ideological framework of the chain gang to the ideological framework of the lynching of blacks. First, Curtis's forfeiture of whiteness comes to fruition in this scene as we see him contrasted with the whites in the camp, even though they are all in the same class. Secondly, the interventions of Big Sam to thwart the attempted lynching of Cullen and Jackson and then to clandestinely free them provides the film with a sympathetic hero who demands that individuals stop shielding themselves from the collective wrongdoing and abuses of the chain gang. The convicts' attempt to burglarize the store fails when they fall from the rafters and knock over a stack of cans, creating a commotion that awakens the entire camp. Before the fall, Curtis's feet dangle and the camera goes in tight on his chained wrist twisting in the night—an overt and self-conscious maneuver by the film's makers to comment on lynching and foreshadow the lynching scene that follows. A struggling Poitier, once again relegated to the laboring strong man, commands Curtis in a strained voice, "Grab a hold of the chain." Poitier's and, by extension, Kramer's plea restates the call for a solidarity borne out of the convicts' unavoidable connection to one another.

Prior to sneaking down to the store, Poitier uses mud to camouflage Curtis's white face because it "shines out like the full moon." This apparent "cosmetic" move, to borrow from Poitier's own analysis of skin color, winds up demonstrating just how significantly and fatally physical appearance is tied to both identity and the perceptions of others that construct that identity. For by the time the camp residents realize Curtis's crisis, it is too late; he has cast his lot with Cullen. After their botched burglary and in their failed attempt to flee the camp, Cullen and Jackson strike a camp resident named Joe and they are cornered and captured soon

thereafter. For striking Joe and as a result of Cullen and Jackson's chain which marks them as criminals already, the camp's residents decide to lynch the two men, dismissing the women and children in an ahistorical move so they can have "an old-fashioned prayer meeting." After Mack (Claude Akins) tosses a rope over a barn rafter turned temporary gallows, Curtis's Jackson calmly requests, "Give us a break, buddy, huh?" In a disgusted response, Mack sneers, "I ain't your buddy. You got your buddy." And he points to Cullen. As a silent Cullen stands accused of hitting Joe, Jackson goes through a series of arguments that he hopes will prevent the hangings—or at least his own.

In a pivotal moment that draws on the chain gang's ability to alter and construct the racial identities of its members, Jackson makes a final, desperate plea that illustrates the implications of having a "buddy" like Cullen. Jackson eventually arrives at what he erroneously believes to be his singular trump card, whimpering to Mack, "Don't you understand? You can't go lynchin' me. I'm a white man." By this point though, Mack could care less about Jackson's skin color. As long as his muddied face and soiled reputation stand astride the black face of Cullen, Jackson's claim to whiteness is a moot point. And Cullen, still silent, looks quickly at Jackson with a mixture of disappointment, disgust, and resignation before Mack gives him an opportunity both to exact revenge for this betrayal and to humiliate Jackson. Mack commands Cullen to spit on Jackson to show him the "kind of white man" he is—implicitly a white man stationed even lower than a black one—and Mack backhands Cullen for delaying. Cullen, still silent, spits on Mack instead and receives a quick beating before Big Sam, the camp's foreman and recognized formal authority grabs Mack by his collar, reminds him that Joe is going to be all right, and thrusts Mack to the floor.

Big Sam's decisions to stop the beating of Cullen, thwart the lynching of him and Jackson, and then to free the two convicts challenges the critical underpinnings of both lynching and its less spectacular response to threats to society in the form of chain gangs. With Mack out of the picture, Sam challenges the other men to string up the two convicts—thrusting the rope into the hands of Glover who hangs only his head. He then snatches an axe from another man and tells him to “chop ‘em up.” Finally, he pulls a torch from the fire and asks if the men want to burn the convicts. This final method relates most closely to the notion of racial *invisibility* set forth in this dissertation and shows how lynching departs from chain gangs as a form of racial terror that springs from the same desire to control black aspirations and restrict mobility. Chain gangs and lynching compete in ways that revolve around the visible and spectacular on one side and, on the other, *invisibility*—a concept discussed in the Introduction and earlier chapters of this dissertation—which involves the sequestering of convicts in backwoods and far away labor camps or placing them hidden in plain sight as a result of working them uncritically and routinely in public.

As he challenges his fellow townspeople, Sam paces the floor and swings the torch along a semicircular orbit, implicating the group for its thirst to burn Cullen and Jackson, but he also alights momentarily on one or two men to ask them directly if they themselves want to set fire to the convicts. All of Sam's invitations—to “tie it around their necks,” “chop ‘em up,” or “burn ‘em”—require singular acts of blatant and injurious violence, making them crimes in the legal sense. But whether the men will act on Sam's invitations never seems plausible. They do not need to lynch Cullen and Jackson because they have another option for containing the threat the two men pose—returning them to the chain gang. Big Sam's performance in the barn then illustrates the inherent tension between two forms of southern progressivism that competed with

one another for at least the first 60 years of the twentieth century—one purely economic based on the struggle toward modernity and the other a social progressivism that would have improved living conditions for all. When the residents of Big Sam’s turpentine camp cannot individually administer the kind of violence necessary to bring about the lynching of Cullen and Jackson, they demonstrate the appeal of using chain gangs, bosses, and overseers to do the dirty work of policing as convicts do the dirty and necessary work of economic progress. Meanwhile, almost everyone who takes up the chase in *The Defiant Ones* claims to be concerned about public safety and, therefore, justified in their attitudes and actions because of the danger the two convicts putatively pose to the law-biding residents in their path.

The two notable exceptions to this, of course, are Big Sam and Sheriff Muller. The film’s presentation of these two men—one who has spent his life operating inside the law and the other often outside—allow *The Defiant Ones* to demonstrate two attitudes about the chain gang that combine to ensure its continued operation as a systemic response to criminality. The sheriff, in his capacity as a local law enforcer, knows that most chain gang convicts—including Big Sam—provide services to the county or state and may often be convicted on trumped up charges. Muller would also understand that this system and law enforcement in general get their power as a result of widely held fears, but, for his part, he attempts to contain those fears before they lead to hysterical responses such as lynching. But the sheriff also has to formulate a response for men like Sam who take the law into their own hands and out of the collective possession of their communities. Muller’s brief encounter with Sam—or perhaps reencounter since the “shackle poison” on Sam’s wrist indicates a chain gang past—cinches for the sheriff the need not only to bring in Cullen and Jackson, but it also affirms for him the necessity of preserving the various structures of law enforcement that their escape has set in motion.

Muller, who by this point is beginning to “hate those two men,” starts to realize that the chase and recapture of Cullen and Jackson is not just about containing the aspirations for freedom of these two men. Rather, the convicts’ ability to escape and remain free could threaten a system that he is sworn to uphold and one that, for better or worse, Muller trusts but fears he is losing control of. When Muller accuses Sam and the other residents of the camp of lynching the two men, Sam turns the accusation back on Muller and *his* men. Nodding to the bloodhounds and militia, Sam retorts, “Why’d we want to kill ‘em. ‘ppears to me like you’re better rigged for that than us.” Keeping his cool, but only momentarily, Muller dismisses Sam, “All right, that’s enough.” And Muller means “enough” in two senses. First, the interrogation is concluded, but secondly, and more profoundly, the sheriff is displeased with Sam’s audacity. He would prefer not to admit that the state could be just a lynch mob with badges and marching orders. As a result of this frustration, Muller’s mood changes immediately and he barks at Sully the dog man to “get goin’!” When Sully objects and advocates for his tired dogs and the deputies begin to kvetch, Muller yells at the civilian deputies and takes up the militant tone he had previously dismissed, reminding them that they are “under orders” so they need to “pick up [their] gear and get ready to move out.” He then orders Gibbons to call for a massive number of reinforcements to start sweeping the edge of the swamp in search of the two convicts.

When Gibbons mildly challenges Muller’s orders, claiming it is going to be dark soon, his feeble, disingenuous objection allows *The Defiant Ones* to punctuate Muller’s militaristic conversion. As the captain walks away from Muller and Dave, he smiles smugly, but he incorrectly believes he has converted Muller to his military style policing. In actuality, Gibbons merely provides Muller with a template for organized, militant policing and a method for upholding the convict labor system that he never really questions. Early on in the film, the sheriff



frequently resists and ridicules Gibbons's militant response. In one shot, Gibbons instructs the troopers and the new deputies of the militia. With the countryside framing his angled body and a head-and-shoulders shot of him in the campaign cover of his state police uniform, Gibbons looks like both a cavalryman and a plantation or chain gang overseer on horseback. The shot pans back to bring Muller and the reporter covering the manhunt into view, and we see that Gibbons is actually standing in the front of a Jeep. The Jeep signifies a more modern military campaign that still owes its methodology to time-tested principles of order, hierarchy, and authority. When Gibbons asks if Muller has anything to add to his thorough instructions about "rations" and keeping their "lines dressed," Muller sarcastically salutes and responds in appropriate military terms, "Negative. ... Deee-ploy." As the chase wears on though, Muller finds himself surrendering to Gibbons' approach as he realizes he "is beginning to hate" Cullen and Jackson because their successful escape could do more than raise unwarranted specters and hysterical, vigilante responses. If Cullen and Jackson get away, Muller likely will fail to get reelected due to bad press and second-guessing. But even that is not enough to drive him to the kind of all-out assault advocated by Gibbons.

Muller converts from his cavalier approach as a result of his interaction and exchange with Big Sam. For in this brief scene, Muller finally realizes the demands and responsibilities associated with being sworn to enforce the law, while leaving the philosophical and ideological questions about how those laws are formed, who they serve, and who they keep in check for others to answer. What he begins to understand is that ceding his authority could unseat the locus of law enforcement, making it the kind of ad hoc deliberative process that would result in even more disorder, fear, and hysteria. As a result, Muller is forced to use whatever tools are at his disposal, including chain gangs that may have little to do with prevention and punishment and

more to do with cheap labor and racism. This uncertainty and occasional capriciousness explains why Muller is elected and Gibbons' has a secured, civil service job at the state level where decisions can be dispassionately made at a further remove from the people affected by them. As a result of this investment in maintaining not just order, but a particular type of social and racial order, *The Defiant Ones* shows how the desire to chase Cullen and Jackson runs through all levels of white southern society and seats of power—from the governor who is going to “get to the bottom of this” down to the lowly hunter-turned-lawman hick played by Carl “Alfalfa” Switzer of “Lil’ Rascals” fame.

Even when Cullen and Jackson do resort to violence and clobber Joe, this act is more the result of desperation than any desire to do harm. After all, when this occurs the two unarmed, chained convicts are fleeing from more than a dozen men armed with hunting rifles or shotguns. However, even though almost all the chasers in *The Defiant Ones* are armed with guns or attack dogs and Cullen and Jackson are defenseless and encumbered by their chain, the two convicts actually do remain the greater threat to order and society for two reasons. First, the film challenges the notion of a natural state of “unfreedom” for African-Americans through Poitier’s sympathetic portrayal of Noah Cullen. And secondly, Cullen and Jackson’s escape undermines the ability of the chain gang to define the parameters of freedom, mete out punishment often for the pettiest of crimes, harness much-needed labor, and, finally, to control a large population of underrepresented individuals who could, at least in theory, rise up. The true power of *The Defiant Ones*, therefore, lies not in its attempt to appropriate the southern chain gang to tell a story of racial oppression, cruelty, and injustice, or even to mark out the uplifting prospect of future racial cooperation. Rather, through the use of the chain gang, recurring images of lynching, and the ultimate failure of the two convicts to escape from one another or the convict

labor system, *The Defiant Ones* establishes itself as an essential chain gang film that unintentionally calls forth a weighty history that could not be contained by the genre demands of the interracial buddy film.

## Chapter Four

### ***Confining the Coens: Chain Gang History amid the Mythical Ruins of Modernity in O Brother, Where Art Thou?***

*Pete: The Preacher said it absolved us.*

*Everett: For him, not the law. I'm surprised at you, Pete. I gave you credit for more brains than Delmar.*

*Delmar: But they was witnesses that seen us redeemed.*

*Everett: That's not the issue Delmar. Even if that did put you square with the Lord, the state of Mississippi's a little more hard-nosed.*

With a nod to bluesmen Robert and Tommy Johnson—who are conflated and portrayed in the Joel and Ethan Coen film *O Brother, Where Art Thou?* (2000)—my final chapter begins at a crossroads where myths wrought by southern oral traditions and folklore meet historical realities during a pivotal moment in southern history.<sup>1</sup> Throughout *O Brother*—one of the most recent in a long line of twentieth-century chain gang films—the Coen brothers, as I will argue, lampoon the goals and spirit of southern progress by showing how time and again solutions to the region's social, political, and economic struggles have been hindered by its history of class and racial divisions. And yet, as this chapter also demonstrates, for particular reasons this satirical (and often hysterical) film's uneasy homage to the chain gang films discussed in Chapter Three has often led to a misapprehension of the critical edge available in the film, embedded in its story of rural electrification and southern violence. As Ryan Doom has recently argued regarding the film, "For each occurrence of brutality, the person inflicting the action believes that what he is doing is right. He justifies violence through his faith—sometimes biblical, sometimes personal."<sup>2</sup> And nowhere else in the film is a systematic character of southern violence made more manifest than when it is carried out in the service of maintaining a particular type of social order perpetuated by the routine practice and power of the chain gang. For even as we begin the

twenty-first century, the chain gang continues to serve as shorthand for southern backwardness and racism—perceived, at times overblown, but almost always providing our dominant reference point. Against such a backdrop, the otherwise charged subject matter of *O Brother* dissolves into a celebration of “old-timey” ways. And even—and here is the historical paradox—the arrival of what protagonist Ulysses Everett McGill (George Clooney) describes near the end of the film as “a brave new world where they run everyone a wire and hook us all up to a grid” cannot save the South from its wayward representational past.

As an alternative to scholars who focus on the film’s attempt to represent the South as a kind of theater of the absurd or who cling to the idea that the film is merely a vehicle for its roots music soundtrack, I will argue that by placing *O Brother* squarely within the chain gang film tradition that it continues and attempts to mock we gain a better understanding of how the region’s move away from chain gangs was symptomatic of the South’s attempt to modernize. And to modernize with the aid of the federal government’s cooptation of the Tennessee River watershed, which cut across seven states in the region. By closely considering the film and its historical reference points in the 1930s, we can see that *O Brother* is built around a tension between the painful, at times torturous and murderous past for southern blacks and poor whites and the promotion of an industrial future for the South. In this way, the Coen Brother’s film participates in a rich film tradition that used the chain gang to reveal the persistence of systemic, often state-sponsored racism as the dark underbelly necessary to bring about southern economic progressivism. Like its 1930s chain gang film forbears, *O Brother* often masks the racist motivations behind actual chain gangs, choosing to highlight (through its all-white protagonists) the poverty and struggle of white southerners rather than black. But on the other hand, by featuring other forms of racial violence—lynching and the Ku Klux Klan, in particular—*O*

*Brother* also comments on the injustices facing both blacks and whites during and immediately following the Depression. Paradoxically, the film uses historical mythologies to re-cast both memory and history: for example, to recover the vexed relationship between southern folklore and chain gangs, to unpack the conflict between celebrating and doubting the reformist aims of the Tennessee Valley Authority—a federal agency with a regional focus—and, finally, to explore the need to reincorporate the South into a singular national narrative. A narrative that was designed, first, to satisfy the looming war effort of the 1940s, and then to create a sense of national unity during the Cold War.

To be sure, like the film's gluttonous Bible salesman "Big Dan" Teague (John Goodman), *O Brother* is a film "of large appetites," informed in its writing, production, and consumption by numerous sources—most notably Homer's epic *Odyssey* and Preston Sturges' *Sullivan's Travels* (1941) as well as *I am a Fugitive from a Chain Gang* (1932) and several other twentieth-century chain gang films.<sup>3</sup> *O Brother* responds to this film tradition in three critical ways. First, *O Brother* extends a long film tradition of creating sympathetic *white* fugitives who are then intermingled with *black* convict laborers. Like other chain gang films, this one struggles to balance the historical realities of segregation with the on-screen racial mixing that is necessary for establishing white protagonists who must be read as downtrodden but not as assimilated into a system rooted in black criminality. Secondly—even though they are often played as screwball comedy reminiscent of Sturges—this particular film asks us to reexamine the highly spectacular nature of lynching, vigilantism, and mob rule. These illegitimate though very real forms of policing and social ordering served, the film reminds us, as key alternatives to the legitimate exercise of state power wrought by convict leasing and public works chain gangs. Finally, *O Brother* illustrates the pitfalls and contradictions of justice and higher authority through its

depiction of the stereotypical and mythical Sheriff Cooley and his whip-wielding and diabolical deputies. For their part, Sheriff Cooley and his operatives, similar to Chesnutt's Capt. George McBane (See my Chapter 1), and the chain gang they maintain figure heavily into the concept of black criminality. Even if chain gangs were not instituted exclusively to restrict the social, economic, and political mobility of black males between Reconstruction and WWII, they undeniably had that effect—and there's sufficient evidence to suggest that this was, in fact, their goal and purpose.

As one can imagine—again, perhaps overwhelmed by the film's referential nature and its numerous “cultural links—often stretched and distorted through the Coens' sardonic lens,”<sup>4</sup> more historically-minded critics have struggled to take *O Brother* seriously. By no means have critics and scholars dismissed the film's historical elements and antecedents. But scholars have, quite often, been more interested in the still relatively recent film as a cornucopia of tropes and references: to the *Odyssey*, to film history as such, or (again randomly) to the history of the South. For instance, *O Brother* has been read as a loose adaptation of the *Odyssey* with Clooney's Ulysses Everett McGill trying to get back to his childhood home before continuing on to reunite with his ex-wife Penny (Holly Hunter), a less committed stand-in for Homer's Penelope.<sup>5</sup> Janice Siegel argues that the presentation of Everett and his companions' adventures mirrors the sweep of the *Odyssey* and “reflects the totality of a culture, in this case offering a cross-section of all aspects of the Depression-era South: religious, political, economic, culinary, musical/artistic, technological, mercantile, and social (including race relations, class distinctions, and rules of hospitality, introduction and decorum).”<sup>6</sup> Chris Vials, meanwhile, has explored the continuity between the Coens' *O Brother* and *Sullivan's Travels*,<sup>7</sup> recently describing Sturges's film as “one of the most sophisticated jabs at both the representational practices of the Popular

Front social movement and the tradition of American realism.”<sup>8</sup> Meanwhile, despite the whiteness of its protagonists—or perhaps as a result of it, some critics and reviewers have argued that *O Brother* “endorses those old American ideals that seem so quaint and naïve now—the solidarity of the oppressed, resistance to abusive power, and the embrace of a universal brotherhood that transcends race.”<sup>9</sup> In truth, critics who see the film playing out a message of “universal brotherhood that transcends race” are most frequently discovering this message in the relationship between the three convicts and the “colored fella” bluesman Tommy Johnson that they pick up hitchhiking. Relying heavily on the film’s allusions to the *Odyssey*, for example, Erica Rowell argues that the epic’s “narrative patchwork is a fitting design template for *O Brother*’s own *e pluribus unum* tale, which also retreads history—specifically, America’s long, hard road to racial equality.” In such readings, the Coens’ over-the-top lampooning of bigots, Klansmen, and a shifty, slippery demagogue of a governor who eventually embraces what his opponent calls “miscegenation” also feed into this idea that the Coens’ film provides a poultice for salving the racial divide.<sup>10</sup> Thus, Rowell herself treats the film’s chain gangs and lynching scenes as “ugly historical artifacts” that are present simply “to explore the difficult journey to civil rights.”<sup>11</sup> In other words, Rowell would have *O Brother* project a narrative of the potential for restorative justice with a satisfactory escape from the racist backwardness of the past. And even when Rowell highlights the chain gang’s appearance in the Coens’ version of *O Brother*, she uses it as a metaphor instead of delving into its relationship to the material history that informs the film.<sup>12</sup>

More recently, however, Benjamin Filene and Sonnet Retman have begun the more careful work of understanding *O Brother* both in terms of its genre debts and its invocation of its own New Deal antecedents. In part, this has begun as seeing the film as more than a marketing



vehicle for a score dominated by many already commercially successful bluegrass and folk artists—while accurately crediting, for instance, T Bone Burnett’s soundtrack as the cause for a contemporary roots music revival akin to that which took place during the 1960s—and viewing the film as recovering a particular way of seeing and representing rural folk.<sup>13</sup> Filene, for example, has recounted the confluence of vernacular or “roots music” in the 1930s with an emergent “official culture” of the New Deal, exemplified by the transformative research of John Lomax and his son Alan Lomax in Southern prisons, stopping at all-black maximum security prisons to ask hardened convicts if they knew any good songs.<sup>14</sup> Among the first artists they recorded was Huddie Ledbetter, or “Lead Belly,” who, for their purposes and ours, in 1933 was a 44-year-old African-American guitarist and singer serving out a sentence for murder on Louisiana’s famous Angola prison farm.<sup>15</sup> The Lomaxes are credited with “discovering” Lead Belly, whose story eventually became the subject of a biopic, *Leadbelly* (1976), and a feature-length documentary currently in post-production, *Lead Belly: Life, Legend, Legacy!* (2012).<sup>16</sup> Filene argues that “[t]he folk became figured not as failures or malcontents but as embodiments of America’s strength through diversity. Many people within the official culture began to treat folk forms as part of a resilient cultural core that, they hoped, would see the country through the depths of the Depression and the perils of war.”<sup>17</sup> This, at its core, is the historical story that *O Brother* itself attempts to recast.

Retman’s case follows a similar line. Following Terry Smith’s argument in *Making the Modern* (1993) about how the folk represent a class of “pseudo-peasants,” Retman argues that when the folk from the 1930s were included in political and economic discussions, they were often viewed ambivalently, either “as relics worthy of preservation or as victims deserving of aid,” or “as a pastoral resource integral to the nation’s healing and crucial to the brokering of

new deals.” Coming to terms with these competing perspectives, Retman argues, documentary projects—through writing, photography, film, or ethnography—that concerned themselves with rural folk during the Depression tended to transform these individuals “into populist, regional clichés of ‘real’ Americans and ‘real’ America.” In response to this heavy-handed and reductive approach, Retman argues, more serious artists turned documentary on its head, and used satire “to critique the fabrication of folk authenticity and expose its patriotic and corporate exploitation in the popular cultural narratives of the period.” By so doing, she says, these artists created a hybrid form of “folk authenticity” to help readers and film audiences understand the folk as fictional “in both senses of the word—as both a falsehood and as a literary creation.”<sup>18</sup>

### **Victory Dams and “the great Leviathan of the TVA”**

Building on Retman’s and Filene’s arguments, I will use the presence and depictions of the chain gang in *O Brother* to explore the complex linkages between this cultural appropriation of the downtrodden—the hybrid “folk documentary style” that both critics outline—and the political and economic history of the modernizing New South that the film recasts. From the standpoint of film history, as I have suggested, the Coens follow the chain gang film genre’s most common convention of ignoring the predominate history of black criminality, largely by casting white protagonists as chain gang fugitives. But *O Brother* also makes more complex use of the chain gang figure, in part because it recasts the 1930s Depression-era South not as a place of stagnation but rather as one transitioning from that stagnation toward progress. The cultural and historical significance of more than a half-century of chain gang films culminate in *O Brother* as the film correlates the end of the widespread use of chain gangs with the South’s

adoption of consumerism and modernity. To put it another way, the film illustrates this cultural endpoint by overwriting the history of chain gangs with the history of the New Deal and the Tennessee Valley Authority. As a result, the Coens' hyperbole neatly captures the messiness of decades of abuse and maltreatment of primarily black convicts by critiquing the familiar narrative of regional economic progress. For its part, then, *O Brother* enfolds all forms of racial violence—spectacular and *invisible*—into a unified history that is then washed clean and overwritten by attempts to modernize and industrialize the South from the 1930s up to the Civil Rights Era.

The questions at hand, therefore, are these: Can critics and cultural historians successfully sift through *O Brother*'s bullet-riddled cows, choreographed Klan rally, and great flood to recover the past in a meaningful and lasting way that informs our understanding of history and helps us confront some of its darker legacies? How does *O Brother*'s use of the chain gang—through visual representation, prison and work crew songs, and inter-textual nods to earlier films—incorporate the South's material past? And since, as Hugh Ruppersburg suggests, the film attempts to divide southern mythology from southern history, how can we reconnect the region's material history prior to FDR's New Deal programs with the ideology and forgotten elements that undergirded convict labor and remained in the region even after modernization made chain gangs economically unnecessary? In ways more explicit than earlier chain gang films, *O Brother* invokes historical events that would lead the South away from the widespread use of chain gangs. But as I will discuss in my epilogue, *O Brother*'s production and release at the end of the twentieth century coincides with the reemergence of chain gangs and a contemporary justification for this penal practice that is intertwined with racism and black criminality. Given the chain gang's symbolic power, its pervasiveness in southern folklore, and material and

cultural history, *O Brother* helps explain what Dewey Grantham has famously termed southern progressivism's challenge of reconciling progress and tradition.<sup>19</sup>

Any discussion of the relationship among modernity, industrialization, and southern progress inevitably risks spreading as far and wide as the region itself, and becoming as fraught with ambiguities and uncertainties as the region's history and folk narratives. So for that reason, I would like to establish three coordinates to set up my readings of *O Brother, Where Art Thou?* Fittingly, these scenes occur near the end of the film, looking back to the moment when, as in *The Marrow of Tradition*, the Old South was just beginning to fade (see Chapter One), despite violent resistance from white elites who saw the rise of black mobility as a threat to their hegemony. Just emerging, in turn, was the New South, and a political and economic progressivism espoused by Willie Stark and his operatives in Warren's *All the King's Men* (see Chapter Two). In other words, the Coens' film—when viewed for its historical content—provides the final chapter of a story about how the region emerged out of its post-Civil War reconstructed past. To that end, then, specific historical accounts are necessary to buttress my readings of two final scenes: the first, involving the flooding of the valley that houses Everett's boyhood home where he and his fellow fugitives are nearly lynched and, the second, the final scene of Everett, Penny and their daughters strolling as one family unit down the glimmering but still dusty road of their small Mississippi town. These historical accounts involve four critical elements: an erasure of the South's most divisive elements that resulted from enduring racism; World War II and post-war era attempts at national unification; the relationship between rural electrification and consumer products and goods; and, finally, the federal government's desire to provide a national network for electricity and, subsequently, communication (which I will discuss in my next section).

Although the federal government framed the purpose of the Tennessee Valley Authority (TVA) and other programs for modernizing and industrializing the South and the West as part of recovery and advancement for these regions, the motives for these programs were not quite so pure and generous. In fact, by the 1940s, these projects became essential elements in a political narrative about national unity, and the South's role as an engine or driver of large economic and political forces. Prior to the TVA's birth under Franklin Delano Roosevelt in the 1930s, debates were raging around what to do with a dam site at Muscle Shoals, Alabama, both with the hydroelectric power produced from that site and the nitrates that could be used for ordnance for weapons in World War I. Even Henry Ford got involved, offering to purchase the site and create a "second Detroit" for manufacturing in this section of northeastern Alabama, near the Tennessee line.<sup>20</sup> And this situation would play out in dramatic fashion related to the need for national unity—and utility—during the war effort of the 1940s.

At the height of U.S. involvement in World War II, for example, in its January 1943 issue, *Popular Mechanics* ran a feature entitled "Victory Dams of the TVA." The magazine, which is filled with other articles related to weaponry and the war, reports that the TVA is "burning the midnight oil in the Tennessee Valley ... to finish a dozen new hydraulic dams to provide more power for war industries in 1943." Men are working overtime and construction is occurring on "24-hour wartime schedule" to complete dams that can generate power to provide needed electricity for aluminum plants providing materials for the manufacture of "bombers, explosives, and other critical war products in unheard of quantities." To keep up with demand, "millions of man hours are being poured into this TV (for Victory) project."<sup>21</sup> Ostensibly, the TVA was intended to provide a local and regional economic boost both by creating construction jobs for the dams themselves and providing electricity to power local manufacturing plants. But

this eventual incorporation of the TVA's work into the cultural narrative of the war effort demonstrates the larger footprint created by these federal projects.<sup>22</sup>

The magazine's spread, with its black-and-white photographs and multiple maps and diagrams, provides an important glimpse into the goals and impact this particular system. First, *Popular Mechanics* explains how the set of twelve dams engulfs the entire Tennessee Valley, cutting across three states and part of a fourth and seizing the potential power of the entire watershed of the Tennessee River. Secondly and significantly for our understanding of the relationship of chain gangs and convict labor to southern modernization, all of this work fell under the purview of FDR's Public Works Administration (PWA). The PWA's connection to convict labor may seem like an historical footnote; however, according to "Executive Order 6252 on the Public Works Administration" established by FDR in August 1933 as part of Roosevelt's pioneering "first 100 days" initiatives, "No convict labor shall be employed on any project constructed in whole or in part under the provisions" of the National Industrial Recovery Act, passed into law on June 16, 1933. Additionally, "[n]o materials manufactured or produced by convict labor shall be used on any such project."<sup>23</sup> In this order then, the federal government is coming out explicitly and publicly against a model of forced labor that had been deeply engrained in both the social consciousness and the economic operations of the emerging New South.

As several historians have noted recently, the role of convict labor—especially labor performed under forced conditions by black men—is being challenged by the federal government in a comprehensive way for ideological, political, and economic reasons. If the point of the TVA was to create jobs and then leave the region with tools for economic progress, then here we see how this approach by the federal government attempts to supplant the existing

conditions related to planning and construction throughout the South. This historic reality and the introduction of the TVA, with its large regional footprint, therefore signaled the dismantling of convict labor in the region, a practice that had served both the cultural need of whites to immobilize or at least hinder the mobility of blacks, as well as the region's economic need for cheap, forced labor in the late nineteenth and early twentieth centuries. In other words, as the federal government was codifying and cementing its role in rural areas across the nation, and especially in the South, the New Deal dramatically reversed the common practice of forcing convict laborers to undertake the most grueling and backbreaking work associated with modernizing public works projects—the paving and construction of roads, bridges, and dams—that up to the 1930s had relied heavily on chain gangs (see Chapter Two). The desperation for work of any kind as the Depression reached its gravest depths and perhaps—though this seems hard to prove—a sense of humanity on behalf of convicts forced into labor finally won out. And what resulted was the type of cultural and economic transition in the South, as I will argue below, that provides the basis for the combined documentary and satire of *O Brother*.

Positive impressions of the TVA have ossified in history and the public memory as a result of the Authority's role—or at least the timing of its projects—in pulling the nation out of the Depression. But as others have argued, that does not necessarily mean that the intentions of the TVA were entirely benevolent or beneficial to all.<sup>24</sup> The initial claims and stated purpose of the TVA were, in fact, related to flood and erosion control, and to providing necessary irrigation for southern farmers to move away from the shadow of poverty and subsistence living. But in short order, under the guiding hand of David Lilienthal, one of the three original leaders of the TVA, hydroelectric power became the central focus of the Authority. Lilienthal's main contribution to the TVA in its first decade was the development of a system for distributing and

selling electric power—supposedly a “by-product” and secondary effect of the TVA’s primary mission of bailing out the “forgotten Americans” of the rural South. Ultimately, as Michael J. McDonald and John Muldowny conclude, the transition to modern electrification was accompanied by a campaign shaping citizens’ perceptions of the project. The TVA build for the region for the first time an electrified network among people and places who up to that point either remained isolated or relied on overland travel and trade to connect with one another, exchange ideas, alter their culture and understanding of the world beyond their homesteads and hamlets. Ultimately, as McDonald and Muldowny argue, this linkage eliminated the “separatism of rural communities” and brought them “into the mass of American society.” For the first time and for better or for worse, the region’s rural, peasant class or folk were exposed to “mass entertainment, mass consumerism, broader educational opportunities, social mobility, labor-saving energy, and increased participation in the national community.” At least in theory, “[t]he power line, the transformer, and the dynamo were the means of attacking the social and cultural deprivation that characterized much of Appalachia in the thirties, and as such they were the images of progressive modernization.”<sup>25</sup>

But in the face of this optimistic assessment of the TVA’s benefits, McDonald and Muldowny are quick to point out that frequently the people, communities, and nations that are on the front end of modernization bear the brunt of the inevitable disruption and tension that accompanies such radical change. Inevitably, the disruptions of dislocation and resettlement, the dismantling of communities and their histories and cultures, and the short-term and immediate losses fall upon one group of people who are simultaneously being persuaded to see the long-term benefit of modernization in order to secure their support for it. “If the transmission line and the dynamo are the perceived images of these deferred or promised benefits,” McDonald and



Muldowny argue, “the rural community, a repository of traditional values and cohesiveness, may well dramatize the immediate confrontation of the transitional with the modern. For we must remind ourselves that if life in Southern Appalachia was too often characterized by harshness and deprivation, those very characteristics bred values of self-reliance and community cohesiveness and a sense of self which transcended the poverty of the region.”<sup>26</sup>

Eventually, though, even as the TVA claimed to embrace a grass-roots democratic approach to planning and development by soliciting feedback from local farmers and county farm agents, the Authority still operated with a powerful hand over a large swath of the South. This top-down approach reflected Lilienthal’s vision for the TVA, even as his outlook came into conflict with his fellow directors and with the people he was charged with serving. As Barrett Shelton, the longtime editor of the *Decatur (Ala.) Daily*, reported years later about Lilienthal’s first meeting with community leaders in his town: “We were frankly hostile to him, for he represented to us another way of thought and another way of life. And our conversation might be summarized in this fashion, ‘All right you’re here. You were not invited but you’re here. You are in command. Now what are you going to do?’ Dave leaned his chair back against the wall and a twinkle of a smile came into his eyes and he said, ‘I’m not going to do anything. You’re going to do it.’ ... He told us the river would no longer defeat man but would become the servant of man.”<sup>27</sup> Such rhetoric functioned both to feed the myth of the TVA and to demonstrate that Lilienthal intended to extend the TVA’s mission well beyond the “utopianism” of his fellow directors—who were, in many cases, still holding onto the simpler notion of improving navigation on the river, controlling floods, and potentially producing some hydroelectric power for nearby homes and small manufacturing outfits.

Given the indelible mark the TVA would leave on the South, dissent and concerns about

the Authority's impact on the region's way of life and culture were unavoidable. As a result, in fact, some of the most thoughtful and passionate criticism of the TVA came from the Southern Agrarians, the famous group of twelve writers, historians, and intellectuals who intersected and at various points were affiliated with Vanderbilt University in Nashville. Although Edward Shapiro advised long ago against assuming complete opposition of the Agrarians toward the TVA, he and other historians have explored the way poet and critic Donald Davidson, among the most enduring voices of this group, offered the sharpest opposition to the TVA, which he did regard as a threat to the southern way of life.<sup>28</sup> Consequently, Davidson commented in greater detail on the TVA than his fellow Agrarians. He treated the TVA as a malevolent juggernaut in *The Tennessee: Civil War to TVA* (1948), the second work in his two-volume set about the Tennessee for the Rinehart series "The Rivers of America," describing the Authority as "the great Leviathan" attempting to offer through putatively democratic processes the "cruel efficiency" comparable to that experienced in "totalitarian regimes" like the "Marxist socialist state" that rose up in "backward Czarist Russia."<sup>29</sup> Of the federal government's potential imposition on southern life, Davidson writes sweepingly about the cost of the TVA's high-dam system both in dollars and human capital, arguing that the backed up waters and series of reservoirs "would retire from cultivation large areas of fertile soil—the very soil that farmers of Tennessee and Alabama cherished most highly." With a clear sense of the acrid nature of his critique, he describes the "calculating eyes of the TVA directors and their staff of experts."<sup>30</sup> Finally, with a resigned air, Davidson laments:

It was also too bad that, in order to achieve flood control, they would have to create a permanent flood in the valley itself—a permanent flood that would put the main river always beyond its banks in the wide reservoir stretches and that would back far up into smaller rivers and creeks—a permanent flood locked up

under watchful eyes and instruments and held, or raised, or lowered according to the seasonal needs of the multiple-purpose project. Because of its encroachments, there would be removals of many a family from homes where, in symbol or in fact, the Revolutionary sword or the pioneer rifle still hung above the mantel. Hearth fires would be extinguished that were as old as the Republic itself. Old landmarks would vanish; old graveyards would be obliterated; the ancient mounds of the Indian, which had resisted both the plow of the farmer and the pick of the curiosity seeker, would go under the water. There would be tears, and gnashing of teeth, and lawsuits. There might even be feud and bloodshed. Yet these harms, inflicted upon a sizable and innocent minority, weighed less in the TVA scales than the benefits that would accrue, in terms of industrial and social engineering, to the nearby or the distant majority who sacrificed only tax money.<sup>31</sup>

Drawing on his poetics and aestheticism in this passage, Davidson creates an odd pairing of Indian mounds in proximity to the “Revolutionary sword or pioneer rifle still hung above the mantel” to conflate the two and create a sense not of the conflict between these two groups but rather the resolution of that past conflict. And then he highlights the role the South played, in his view, in forging the nation. Finally, he contrasts the symbolic nature and historical and cultural significance of hearth fires, landmarks, and graveyards that are being cashed in and traded on in the name of progress, mechanization, and modernity, ultimately for the benefit of the region’s former and current foes—the North and its sanctioned industrialization. Meanwhile, all of this occurs in Davidson’s view in a way that merges the federal government, which has never had the interest of the South at heart, and its powerful, adolescent arm, the TVA.

Davidson goes on to calculate in a somewhat unscientific manner the number of people who had to be removed from their land to make way for the TVA’s dams and reservoirs. Using what he calls a “conservative” figure that rural families consisted of five members, he estimates that “perhaps three or four times as many people as had been forced to go west at the time of the Cherokee Removal” were displaced over about 13 years. Davidson claims that if this number of people—72,000 by his count—had been removed “in one lump, the exodus would have seemed

sensational.”<sup>32</sup> Putting aside the visceral nature of Davidson’s concerns about resettlement, he was also skeptical about whether the massive overhaul and widespread power plan of the TVA could decrease poverty in the Tennessee Valley. As Shapiro has shown, Davidson’s views have crowded out other, more favorable responses to the TVA from his fellow Agrarians. Shapiro demonstrates that the Agrarians were not actually in favor of a return to some idealized form of ante-bellum plantation life, as some have argued. Rather, they were interested in promoting a more localized regionalism built around farm life and an anti-urban, rural pattern for living. And, for the most part, Agrarians saw the TVA as a potential vehicle for this regional restoration, which, unfortunately for them, was never really its intent. The TVA certainly wanted to see the South thrive but, based on the way it formed and has operated over the years, this economic progress has always been seen as part of a larger, national growth pattern.

Ultimately, Davidson’s fellow Agrarians lacked his skepticism and simply wished for southern farmers to emerge from the Depression with economic independence, stronger family ties, and a greater sense of religion. As such, Shapiro concludes: “The belief that economic and political collectivism, urbanization and the decay of agriculture were not inevitable, and that the United States could once again become a nation dominated by small proprietors and farmers determined the Agrarians’ approach to the problems of the 1930s.” For all his bluster though, Davidson was unable to garner widespread support for his declamation of the TVA. The Southern Agrarians who supported the TVA believed that the Authority—and rural electrification, more specifically—could result in a form of southern industrialization that differed from the North’s “urbanization, political centralization, and proletarianization ... And because southern manufacturing could remain small-scale, southern industrialists could probably secure necessary capital from southern sources without having to go to New York banks.” As a

result, southerners would control southern industries and, in theory, industrial profits would remain in southern hands, making the financing of additional development possible “and the South could begin to free herself from the grip of northern colonialism.”<sup>33</sup>

Worth noting here is the return of an independent spirit that delimits the South as a region from the nation as an entity. In other words, the South retrenches and perhaps retains some aspects of its agribusiness, as it is termed these days, along with an increase in manufacturing and other forms of industry. But since these industrialists would not be dependent upon “New York banks” and would be freed “from the grip of northern colonialism,” then perhaps policies and social practices of the region’s past could be preserved. Among these, of course, would be the continued subservience, segregation, and, in its worst forms, racial violence. Essentially, the Agrarians’ fears and concerns related to the TVA and its comprehensive plans for the region had more to do with sociology than economics. Alan Tate, for example, was strongly in favor of the TVA’s economic impact but remained suspicious of its interest in reforming the rural inhabitants, or folk who would be affected by modernization. “When the TVA tries to go into the mountains and change ways of living followed by the mountaineers for 150 years,” he stated, “it is all wrong. It tries to make them play the radio instead of pitching horseshoes. They’ve been pitching horseshoes for 150 years and they ought to go right on pitching horseshoes.”<sup>34</sup> Of course, Tate’s concerns about the most common and ground level issues surrounding the TVA were far removed and operating well outside the formation and ideology of this powerful federal agency with its unique regional approach.

## **All Politics is Local—even Federal: the Norris Dam as TVA Exemplar**

In the beginning, the purpose of the TVA was to resolve questions about the use of hydroelectric power and dams built along the Tennessee River, but as Erwin Hargrove argues, FDR “had something far grander in mind” for the TVA “than a power and fertilizer corporation. ... FDR was in love with a vague idea of planning, but it was the idea he loved rather than the particulars. He envisioned forest, soil, and water linked in a complementary endeavor.”<sup>35</sup> When all was said and done, the TVA Act created a three-member board (with one member as chairman) that was charged with overseeing the terms set forth in the act’s preamble: improving navigation and flood control along the Tennessee River, reforestation, and the reclaiming of marginal lands for farming and industry. The building of dams and the sale of the hydroelectric power they produced—projects that seem so central to the TVA nowadays—were intended as “by-products” of the above goals.<sup>36</sup> And for the horseshoe-tossing mountaineers of Tate’s imagination, these stated goals and the TVA’s “by-products” have not been without their inconveniences, sacrifices, and fallout. We might, for example, draw a parallel between the Coens’ fictional flood and the TVA’s “experiment” with the Norris Dam in eastern Tennessee along the upper part of the Tennessee River. As Hargrove has outlined, following Philip Selznick’s seminal work from the late 1940s on the TVA as an organization, the TVA has always operated under “several strands of myth” that “are closely related and often complementary even when in tension with each other.”<sup>37</sup>

In his groundbreaking work, *TVA and the Grass Roots: A Study in the Sociology of Formal Organization* (1949), Selznick wrote: “the foundations of a clear-cut choice between totalitarian and democratic planning have not been adequately laid out; nor has the distinction

been altogether clear between planning directed toward some acceptable version of the common good and planning for the effective maintenance of existing and emerging centers of privilege and power.”<sup>38</sup> Selznick noted that the TVA represented a new way of governing and that “[a] new regional concept—the river basin as an integral unit—was given effect, so that a government agency was created which had a special responsibility neither national nor state-wide in scope.”<sup>39</sup> So what grows out of the ideological and practical organization of the TVA is a brand new way of identifying the South—not as a seceding Confederacy or a group of individual states—but as an identifiable whole with its own set of problems and ideas. And yet, this region remains a collection of identifiable communities and populations easily flattened in the visual field of a federal bureaucracy, its experts, and decision-makers. This situation often resulted in important lived and felt experiences for the very same individuals and families the TVA was ostensibly designed to help. In the summer of 1933, while John and Alan Lomax were touring the Deep South in search of America’s authentic roots, the TVA was undertaking a massive uprooting project on the Upper Tennessee that would put the Authority’s theoretical approaches into practice in hopes of rewiring rather than recovering southern traditions. The TVA sought to create a storage reservoir and hydroelectric facility at the meeting point of the Clinch and the Powell rivers—the northeastern tributaries of the Tennessee River.. So what began in the 1910s in Muscle Shoals, Alabama, as a project to decrease dependence on Chilean nitrates for war munitions had, under the guiding hand of Sen. George Norris, a Republican from Nebraska and chairman of the Agriculture Committee, grown into a far broader scheme to harness the power of the enter river. And, perhaps more importantly, by the 1930s the TVA had become one of the cornerstones of FDR’s New Deal.<sup>40</sup>

As historians Michael McDonald and John Muldowny explain, what began “among the

plantation economies of northern Alabama and lower Tennessee led inexorably to the mountainous highlands of the river's source and to the 'hog and corn' subsistence farms of the independent (and poor) white smallholders in the fastness of the upper Tennessee and its tributaries. An experiment had escalated into one of the most exciting and innovative regional development programs in the nation's history." The project on the upper Tennessee would come to be known as the Norris Dam and Reservoir and the area impacted the Norris Basin, named in honor of the "Father of TVA." And the "taming of the Tennessee entailed the purchase, under eminent domain, of enormous amounts of land and the consequent displacement of thousands of families from farms where many had lived for generations, the oldest dating back to the immediate post-Revolutionary period."<sup>41</sup> These purchases and accompanying displacement of families was just a matter of course for the TVA—the unavoidable price of doing business in such a wide scale to serve a broader footprint and provide the power to drive not a recovery of the South, since the region's poor farmers had always lived according to a model of subsistence and self-sufficiency.

But for its part, the Norris Dam, the TVA's first major project, displaced more families than any other dam the Authority constructed. TVA purchased 153,000 acres, and when the project was completed the Norris Lake formed and extended nearly 70 miles up the Clinch and Powell rivers, displacing more than 3,000 rural families.<sup>42</sup> Ironically, as McDonald and Muldowny highlight, the relocation of these families—which had to be coordinated by a collection of groups and agencies—was not as efficiently executed as the re-interment of 5,000 graves scattered throughout the area in churchyards and family burial grounds, "many of them unmarked and dating back to the eighteenth century." The inhabitants of the rural communities of the Norris Basin undergoing displacement and uprooting "these graves were mute evidence of



the continuity of their own existence, proof of the permanency of the past, and an irrefrangible link to their collectively shared communal and familial memories.”<sup>43</sup> Such a sense of multi-generational belonging and investment speaks to the human costs paid by the living for the TVA’s efforts, shrouded as they were by a claim of liberal progress and recovery.

Although the Norris Dam is just one of several TVA projects, as McDonald and Muldowny persuasively argue, it still manages to illustrate several lessons about regional redevelopment as “social experiment.” In many instances, I would argue, the TVA reiterated some of the same principles of nineteenth century Radical Reconstruction though this time framed according to a government-engineered economic set of moves rather than related to appointive or electoral government. And for this reason, the Authority (capital A) might speak to serious questions about authority (lower-cased a) in a broad sense. As to whether a focused critique of the Norris Dam can account for the economic outcomes of all TVA projects over several decades, McDonald and Muldowny admit that such a careful and targeted study “adds a real and human dimension which could never be expressed in an econometric model. It is perhaps an example of immediate, limited, short-term, and negative impact, but all those features keep us in touch with the fact that modernization is seldom, to the people it first touches, a long-term process.”<sup>44</sup> In this same vein, I would like to suggest that history and public memory related to the South, the kind that attributes broad strokes of success by aggregating change over time, has similarly effaced our understanding of chain gangs and convict labor. In other words, just as aggregating TVA history elides the narratives of displacement and discomfort of each project’s separate populations, the aggregating of southern history during its transition turn to modernity writes chain gangs and convict laborers out from their already precarious positions on the margins of traditional and cultural history to a point outside the nation’s historical narrative and

the story of southern progress.

Undeniably, the TVA had a massive impact on the Tennessee Valley and brought inexpensive electrical power and modernity to rural areas that had a quality of being “transitional between pre-modern and modern.”<sup>45</sup> But to this day, historians continue to debate the controversies that surrounded individual projects such as the Norris and Tellico dams, as well as the merits and the impact of the Authority more generally on the people it was supposedly designed to aid. As Dewey Grantham outlines, the massive dams on the Tennessee and its tributaries built by TVA did turn the river into man’s servant, as David Lilienthal had promised his Decatur, Alabama, audience. Major flooding was relieved and inland waterways for commercial traffic and recreation improved. By the 1950s, the Authority had become the largest electricity producer in the country. Even so, Grantham insists that the TVA’s claims of reforming the Tennessee Valley are “more shadow than substance.” Despite the hopes of Arthur E. Morgan, one of the three original directors, the agency never brought about social change, and its programs have tended to benefit those with influence and power and members of the middle class in the Valley rather than the poor and downtrodden shack-dwellers of FDR’s New Deal rhetoric. On an even greater level, small tenant farmers and blacks who received no compensation for the purchase of the lands they worked but did not own continued to have their needs ignored even though they were disproportionately effected by relocation programs and the seizure of land.<sup>46</sup> As a result, this historical reality, unfortunately, fails to align in some important ways with the myth and imagery Roosevelt sold his subordinates and supporters on in the early days of TVA.

On December 11, 1934, President Franklin Roosevelt warned members of the National Emergency Council against treating the TVA as “initiated or organized for the purpose of selling

electricity,” which he described as a “side function” of the Authority. FDR then went on to define TVA as “a social experiment that is the first of its kind in the world” in which the determination and then execution of what today’s professional planners term the ‘highest and best use of land’ would prevail. As he verbally pans down from “the highest mountain peak of the Tennessee Watershed,” the president goes on to describe an Appalachian Everyman in the only ethnic, social, and (for his purposes) political terms the 1930s would permit: “And a few feet farther down we are going to come to a shack on the side of the mountain where there is a white man of about as fine stock as we have in this country who, with his family of children, is completely uneducated—never had a chance, never sees twenty-five or fifty dollars in cash a year, but just keeps body and soul together—manages to do that—and is the progenitor of a large line of children for many generations to come. He certainly has been forgotten, not by this Administration, but by the American people.” Amid the items that constitute a plan for bringing this white man the things he needs, “if he should use [them] ... schools, electric lights, and so on,” FDR highlights the federal government’s interest in preventing soil erosion, planting and growing trees, and trying to bring industry to the region. And then, in an off-handed way, he suggests, “As an incident to that it is necessary to build some dams. And when you build a dam as an incident to this entire program, you get probably a certain amount of water power development out of it. We are going to try to use that water power to its best advantage.”<sup>47</sup>

But the eventual outcomes of the TVA, regardless of FDR’s rhetoric or even his intentions, of course leaned far more heavily toward the resultant hydroelectric power of these dams and their putatively incidental output. And more than one historian has suggested that this did not just result from David Lilienthal’s plan to overpower local electric utility companies and the TVA’s goal to distribute electric power to customers within a vaguely defined “transmission

distance” that was contingent upon the number of dams the TVA built. Rather, Lilienthal may have been the person most responsible for a massive wave of consumer culture that began in the 1930s. As Gregory Field has argued, “Lilienthal sought to forget a political economy of mass consumption, anticipating in many ways the growth economics that came to dominate the United States in the era following the Second World War.”<sup>48</sup> After negotiations involving land purchases and coordinating efforts with existing utility companies in sections of Mississippi, Alabama and Tennessee fell through, Lilienthal changed his tactics early in his career as a TVA director and moved away from working with local land owners to begin to build the TVA’s power grid.

According to historian Erwin Hargrove, the young director “polarized the fight as one between the people, represented by the TVA, and the special interests, i.e., the utilities. And Lilienthal became a salesman for the wonders of electricity. As one lieutenant remembered, Lilienthal was seen as ‘Prometheus bringing light to the valley.’” Within this mythical context, Lilienthal began to move in far more material ways, starting the Electric Home and Farm Authority (EHFA), a consumer credit agency affiliated with TVA that provided low-interest loans for farmers to buy appliances. Then, in turn, Lilienthal persuaded General Electric and other manufacturers to sell inexpensive appliances, such as a combination stoves and refrigerators, to the farmers in the Tennessee Valley. The results were staggering and culturally significant. The TVA promoted unprecedented amounts of electricity to the valley and suppressed rates through a combination of regulations and an increase in small distributors. Electrical usage soared in the countryside and towns across the South.<sup>49</sup> The case of the EHFA illustrates a “new politics of consumption” that emerged during the New Deal.<sup>50</sup>

## ***O Brother's* Homage and the Coens' Debt to Preston Sturges**

Like many twentieth-century chain gang films, *O Brother* depicts an escape from a chain gang work crew and a subsequent chase by good ol' boy southern lawmen. In this instance, the Coens present the haphazard flight of three convicts: Everett, Delmar O'Donnell (Tim Blake Nelson), and Pete Hogwallop (John Turturro). But as scenes of recapture and even torture crop up in the film, Everett, Delmar, and Pete prove to be more concerned with getting *to* somewhere than they are with getting away from captivity. Along the way, a cruel Sheriff Cooley tracks them with a posse, or what might be read as a militia (see Chapters One and Three of this dissertation). Tommy Johnson describes Cooley in a way that makes the southern lawman seem like the devil himself: Cooley, he says, "travels 'round with a mean ol' hound" who actually looks fairly harmless and takes in the world around him through "empty eyes." Later in the film, Cooley's ever-present sunglasses, with their leather side shields, suggest the "empty eyes" of Tommy's description and, in one telling shot, reflect the torch fires during Pete's near-lynching scene. In that moment, Cooley's sunglasses become the ideal tool for reflecting the spectacle of violence that projected itself into the New South in spite of numerous attempts to move the region beyond its painful past and history of abuse and torture related to chain gangs and convict labor as early as the mid-nineteenth century, when convict-leasing served as a commonplace method for securing forced labor.

Everett, who is compelled to return to his childhood home to retrieve a ring for his ex-wife, persuades his fellow convicts to aid him in his escape by convincing them that there is a \$1.2 million bank haul buried near his house. This promise unites the three in their goal of reaching Everett's homestead before the valley in which it is located is flooded, thereby

producing a reservoir and with it, rural electrification. And as Hugh Ruppersburg argues, the flood becomes “the symbolic event that divides the mythic southern past—the past the film documents—from the electrified present.”<sup>51</sup> Indeed, by the time the three convicts finally make it to what Everett calls his “ancestral manse,” the blast that brings about the flood actually saves the men from Cooley’s nooses and shallow graves. In that moment, according to Ruppersburg, Everett sees only the good in a flood “that heralds a future in which the past has no part.”<sup>52</sup>

Before sorting out how the film interprets its New Deal and TVA backdrop, however, we need to clarify the particular style it adopts to present that history—and here, the example of *Sullivan’s Travels*—the classic film that the Coens pay homage to with their contemporary film’s title—is indeed important. If *Sullivan’s Travels* follows a four-journey sequence template laid out by another classic literary work, Jonathan Swift’s satirical *Gulliver’s Travels* (1726),<sup>53</sup> the Coens’ film, likewise, uses both the *Odyssey* and Sturges’s film itself to organize its rendering of history. Importantly, for example, the film replicates Sturges’ overall tactic of both deploying and undermining the “social problem film” within the genre of the screwball comedy. This coupling, however, results in an unsettling arrangement that leaves the audiences for both Sturges’s and the Coens’ films in the uncanny position of not knowing what to take seriously. In fact, at the root of Sturges’ film is the fundamental question about whether films are intended to be escape vehicles of pure entertainment or if filmmakers have an obligation to advocate for social or political change. *Sullivan’s Travels* is about fictional famed director John L. Sullivan’s attempt to research life among the lowly so that he can make a socially-conscious film—ideally “with a little sex” to satisfy his investors’ concerns about audience. He intends for the film to be informed by his temporary participant-observer status among hobos and other downtrodden individuals living hand-to-mouth and surviving on the rails and streets of an impoverished 1930s

America. But as Daryl Chin has shown, when Sullivan finally breaks out of the circular pattern that keeps forcing him back to Hollywood, the director's version of "real life" is revealed to suffer from the same artificiality of a Busby Berkeley musical number: hobo train scenes that mirror the Depression dramas of Warner's, and shantytowns and shelters that look lifted from Columbia's 1930s melodramas. And "as for the chain gang sequences," Chin quips, "... it's nice to know that Preston Sturges remembered *I Am a Fugitive from a Chain Gang* (1932)."<sup>54</sup>

Philosophically, the answer to this central question is complicated by how we place *Sullivan's Travels* itself within its moment. In Chin's estimation, Hollywood and the movies themselves provided Sturges's "primary frame of reference." In a sense, Chin indicts Sturges for suffering from the same narrow field of vision as his protagonist. Chin likens Sturges's approach to that of the French *Nouvelle Vague* directors who allowed filmmaking and spectatorship to wend their ways into plots and characters' most critical experiences of life, creating a reality of "cinophilia" that was irrevocably linked to the unreality of cinema.<sup>55</sup> But on the other hand, as Douglas McGrath insists, Sturges' films between 1940 and 1944—incredibly, he made seven including *Sullivan's*—"may offer a truer idea of American life than the films of any other director of his time" despite his obvious excesses. McGrath suggests that each of the seven films offers "an insouciant rebuke" to John Ford's myth of America, Frank Capra's inspirational America, and "the safe and cozy America as pushed through MGM's Andy Hardy series." For McGrath, those films provided audiences during the 1940s with "a warm hug," but Sturges' pictures were "a jab in the ribs, a sexy joke whispered in church—a wink, a kiss, and a hiccup." Sturges's assessment and representation of America feels right to McGrath "because his pictures of life in this country are a lot *like* life in this country: messy, noisy, sometimes crazy, sometimes sweet."<sup>56</sup> As McGrath argues, Sturges created "a world like no other in the movies" filled with

characters that are “slickers and hicks, frantic, contemplative, melancholy, literate, subintelligent, vain, self-doubting, sentimental, cynical, hushed, and shouting.” Sturges reveals an America “shown for what we know it to be: a carnival of bull and glory, with riches or a broken neck possible around any corner.”<sup>57</sup>

Evidently, the Coens warmly and delightedly embraced this pell-mell approach when they opted to pay tribute explicitly to Sturges. In essence, the Coens performed a recovery project of sorts.<sup>58</sup> For like Sturges in the way McGrath outlines, the Coens have generated for contemporary film audiences a panoply of bizarre but still likable characters depicted in seemingly essential works about how people actually think, talk, and act in North Dakota (*Fargo*), “suburban Tempe” (*Raising Arizona*), Los Angeles and Malibu (*The Big Lebowski*), and other familiar and unfamiliar locales. The Coens follow Sturges’s example in (as McGrath puts it) keeping “the delicate and the explosive so close together.”<sup>59</sup> And, in the particular case of their version of *O Brother*, this means combining the satirical, eclectic form with a more forceful examination of race and modernization in the New Deal era. Returning to Sonnet Retman’s formulation of the hybrid genre of satire and documentary, we might consider how the Coens maintain satire with an edge sufficiently sharpened to critique southern institutions:

Indeed, both genres are dependent upon realism for their articulation and authority, documentary presumed to be a transparent transcription of nonfictional reality and truth, and satire, a deeply exaggerated, fictional representation of reality that nevertheless conveys a highly mediated commentary about the status of the truth. In this way, though manifestly different in tone and style, they are each fundamentally propelled by the enunciation of a set of truth-claims, however provisional and incomplete.<sup>60</sup>

In the 1930s in particular, documentary that functioned to inform and entertain became bound up with the need, as evidenced by the TVA campaign, to influence public perception not only about



massive public works projects, but also about the extension of its authority to create a social safety net during a time of economic crisis. For both mass communication and comprehensive federal and regional programs to be successful in the 1930s, together policy-makers and artists needed to generate a common understanding of who exactly they intended to serve—again an *e pluribus unum* that would both affect and be affected by decisions made regarding their well-being and day-to-day lives. In a broad cultural sense, the people were constituted by artists and intellectuals as much or more than they constituted themselves.<sup>61</sup> With the blessing and the backing of the Roosevelt administration, federal folklorists in the 1930s set out to document the experiences of Americans who “were positioned both inside and outside the national imagination.” And as Retman explains, “Native Americans, African Americans, and poor rural whites were conscripted to embody an organic, precapitalist past seen as apparently antithetical to commercial modernity.” She demonstrates “how these purportedly disappearing groups were used by New Dealers and others to tell a story of capitalist progress, to show just how far the country had come.”<sup>62</sup>

*Sullivan’s Travels*, however, resists this larger project. By the film’s “fourth journey” when it turns to prison exposé, Retman argues, Sturges’s movie cements itself as a “chain gang film” that simultaneously embraces and amends or updates the genre’s conventions. Retman contends that Sturges’s decision first to work his protagonist on an interracial chain gang and then to set his personal conversion in a black church “significantly departs from the racial iconography of many of the most popular documents of social realism from the 1930s” (218). As a result, *Sullivan’s Travels* invites its audience to view a “real America” and “real Americans” that the culture often shields from view. As a result, the notion of spectatorship, then, becomes central to our understanding of both the importance of viewing *Sullivan’s Travels* as a chain

gang film as well as the classic film's connection to the chain gang components of the Coens' contemporary sequel.

In *Sullivan's Travels*, Sullivan and his fellow chain gang convicts visit a backwoods church to join the congregation for a "picture show" following a Sunday evening prayer service. As they respectfully remove their grungy hats and enter the back of the church two-by-two in lockstep with their chains jangling, Sullivan and his fellow convicts are welcomed by the black congregants who vacate the front three pews to make room for them—and in an effort to take up their culturally appropriate seats in the back rows—and then offer up a throaty and mournful version of "Go Down Moses." The camera focuses on the paired rows of convicts from the neck down highlighting the biracial nature of this particular group of convicts by the intermittent sight of black hands amid the (historically inaccurate) display of predominantly white ones. The plodding movements of the convicts and the lethargic beat guiding the church singers connect the two groups—the backwoods convict laborers and the backwater black churchgoers—into a shared desperation. Throughout the scene and especially as he leads the singing, the benevolent minister, who has already identified the convicts as "less fortunate," hints that the congregants themselves may very well be just as unfortunate and oppressed socially, economically, and politically.

Following the Sunday evening outing, Sullivan—who is believed to be dead following a case of mistaken identity and is serving time on the chain gang after a run-in with a railroad bull that left him an amnesiac unable to defend himself in court—dreams up the "plot twist" of confessing that he murdered himself so his picture winds up in all the nation's papers. Over the now enthusiastic recommendations of the same backers who previously dismissed Sullivan's idea to direct a socially-conscious film, Sullivan concludes that he has not suffered enough to

turn the fictional Sinclair Beckstein's novel *O Brother, Where Art Thou?* into a film of the same name. *Sullivan's Travels* ultimately turns on a somewhat hokey and rather unsatisfying claim that the humor of the Disney cartoon he watched in the backwoods black church has led Sullivan to conclude that entertaining people by making them laugh is a right and estimable undertaking. In the Coens' *O Brother*, Everett, Pete, and Delmar also attend a "picture show" in a clear attempt by the Coens' to respond to Sturges. The "picture show" in *O Brother*, though, exists more to advance the plot than to offer any kind of message or thematic underpinning in the way Sturges has done with his visit to the black church. In a piercing whisper, Pete warns Everett and Delmar against continuing on to Everett's home place to dig up the \$1.2 million that Delmar and Pete still believe is buried there.

In *Sullivan's Travels*, the minister completes his sermon and instructs an "anxious" Charlie to let down a movie screen. Like a puppeteer working a marionette, Charlie struggles with the two ropes that will ensure the stability and form of the screen. After the smiling minister is confident of the screen's placement and security, he begins to walk among his congregation and explains, "Well, brothers and sisters, once again, we gonna have a little entertainment. I guess I don't have to tell you what it is. The sheet kind of gives it away." But just as "the sheet" gives an "anxious" Charlie pause, we do well to pause briefly and consider this detail, diverting our attention from the primary purpose of the scene—that of demonstrating director John Lloyd Sullivan's conversion away from his conviction about making socially-conscious or "problem films"—and to consider the way in which this scene provides its own set of screens through which to consider the nature and forms of racial violence in the South. Calling this makeshift movie screen a "sheet," the minister's benevolent baritone intones the historical reality of the Ku Klux Klan and the relationship of spectatorship to racial violence.

And, of course, this oblique reference blossoms and, quite apart from Sturges' intentions and maybe unwittingly related to the Coens, it becomes part of its own "hyperbolic whiteness" nearly 70 years later in the Coens' *O Brother*, when a highly-stylized and awkwardly-choreographed Klan rally pays homage to *The Wizard of Oz* (1939) and dovetails spectatorship and racial violence. As a result, even as *O Brother*, *Where Art Thou?* and *Sullivan's Travels* can be neatly slotted into a chain gang film genre (See my Chapter 3), the specter of more visual and blatant forms of racial violence continue to divert attention away from the systemic and embedded nature of abuse, violence, and even torture and murder that was such an integral part of chain gang and convict labor practices. In other words, the chain gang film—rather than demanding a response to the injustices and historical deprivation of convict labor practices—yields to the more familiar narratives of mob rule, lynching, and spectacular racial violence.

### **"Well, we ain't got a radio": Turning a Deaf Ear to Southern Progress**

As I have suggested in earlier chapters, the chain gang films of the 1930s often focused on corruption and poor conditions in labor camps with only mild and oblique references to other social problems, particularly racial division in the South. Often, the protagonist was an innocent victim of a corrupt or exploitive boss, belligerent guards, or a vixen whose double cross led to his arrest and chain gang sentence.<sup>63</sup> However, the eight or so 1930s chain gang films, including *Fugitive* and *Hell's Highway* (1932), themselves indicted southern policing and the region's criminal justice systems but, as a result of their casting, missed the opportunity to correlate this criticism with the realities of race. Alternatively, the Coens' *O Brother* broadens its scope to comment more widely on regional and national issues of race and injustice while it questions

southern progress by drawing into its maelstrom a vast array of archetypes and caricatures, including one based on former Texas Gov. Wilbert Lee “Pappy” O’Daniel. In 1941, the real life Pappy O’Daniel edged out New Deal congressman and future President Lyndon Baines Johnson in a United States Senate special election “in a flurry of controversial late returns.” In the Coens’ film, the fictional character Menelaus “Pass-the-Biscuits” Pappy O’Daniel serves to caricature several southern demagogues of the early twentieth century, including and especially Louisiana’s Huey Long (see Chapter Two). Although, with the Coens’ usual satirical aplomb, he operates under the moniker of Helen of Troy’s husband, he is also a symbol of the New South’s explosive juxtaposition of modernization, mass communication, and consumerism.<sup>64</sup> In a key scene, on their way into a local radio station, the governor, his obese and dopey son, and his advisors pass the film’s three fugitives who have just earned \$10 each—and conned \$20 more from the blind station operator—for “singing into a tin can” and cutting a record under the name of The Soggy Bottom Boys.<sup>65</sup> The governor’s son is perplexed when his father fails to “press the flesh” of the passersby. In a fit of frustration, Pappy explains to his oversized offspring that, “We ain’t one-at-a-timin’ here. We’re maaaass communicatin’!” As my account of the TVA suggests, this exchange illustrates how mass communication came to the fore in the 1930s and both made possible and necessitated comprehensive programs that affected the entire South as opposed to the more provincial and localized approaches to economic, social, and political progress that were more prevalent in earlier times.<sup>66</sup>

In a critical scene involving the Coens’ stereotypical southern sheriff, *O Brother, Where Art Thou?* critiques this “new politics of consumption” to reveal a swinging gate into the progressive New South out of a schema of Old South barbarism. Typical of the rest of the film, and the Coens’ oeuvre more generally, *O Brother* deploys paradox and irony to make its critical

points on this score. For example, when one of Sheriff Cooley's henchmen is bull-whipping a hog-tied and strung-up Pete Hogwallop, the rotund torch-bearer nearby excoriates Pete for being "an unreconstructed whelp of a whore!" Of course, it is the deputy, with his reliance on brutality and backwoods jurisprudence, that better befits this description, for he is among those attempting to "redeem" rather than "reconstruct" the South. Alternatively, Pete's undeniable motivation to escape the brutality and abuses of the southern chain gang speak to his and his fellow fugitives' desire to live in a region that has modernized and progressed past such scenes in which violence and justice are inextricably bound—and ultimately frequently culminated in the violent death of convict laborers like those that the Coens' three fugitives are attempting to represent in the film.<sup>67</sup> Indeed, I would like to point out how the film's final few scenes help focus our attention on the fraught history of the Depression-era South—fully extending from the depths of Parchman Farm in Mississippi up into the Appalachian mountains of eastern Tennessee—and emblemizes the net cast by the TVA across the region. We light upon this net—or more to the point, network—in which the "brothers" of *O Brothers* are entangled.

In part, this means returning to the way that the chain gang had come to represent in *Fugitive* what Leigh Anne Duck calls "a model of American unfreedom," wherein African-American prisoners depicted on screen are not worthy of mobility or fulfillment and satisfaction from their labor and are therefore often left behind during escape sequences and frequently naturalized on-screen in not just servile roles, but situations of abuse and neglect. In the case of *O Brother*, we see this recurring in various scenes: the opening roadside chain gang, the time Everett and Delmar see Pete working in the hot sun after his recapture, the movie theater afternoon matinee in which the black convicts seem perfectly content sitting alongside Pete, who is craning and straining to communicate with Everett and Delmar. And when the film does

imperil a single black individual alongside the three white fugitives, that character—bluesman Tommy Johnson—is not a convict, but he is certainly in harm’s way as a result of his race as he finds himself staring up at the gallows during a Klan rally. Supplementing Duck’s claim, I refer to this situation as it pertains to chain gangs as racial *invisibility*.<sup>68</sup> In this dissertation, as outlined elsewhere, racial *invisibility* connotes two different, but related notions. The term is meant to stand in opposition to the more common way the issue of race in the South is often linked to obvious visible tensions, or spectacles such as lynching, Klan rallies, race “riots” or massacres, or even admittedly less dramatic visual evidence of this tension such as Jim Crow signage in public spaces. Unlike such spectacles, the chain gang rendered convicts invisible in two different ways. First, chain gang sentences might result immediately in the complete physical removal of convicts to backwoods or far-away labor camps or undeveloped road or rail beds—often without alerting the convicts’ closest relatives. Alternatively, these convicts could find themselves working on roadsides or downtown streets in clear view of the public, but their presence becomes so routine that chain gangs simply blend into the landscape.

In the opening of *O Brother*, we paradoxically “see” how this kind of invisibility plays out. We note the broad and barren landscape establishing shot that is typical of the Coens’ work (think of *Fargo*’s clear sky turned to snow and the tumbleweed that crosses modern Los Angeles in *The Big Lebowski*).<sup>69</sup> For our purposes, the disembodied sounds of a work song set to the pounding of rocks soon reveals armed guards on horseback overseeing a chain gang. Also, the predominance of black men on the chain gang who continue to pound rocks and sing “Po Lazarus” as the films’ three main characters off-camera flee the roadbed in a nearby field picks up on Duck’s notion of “unfreedom.” The black convicts appear completely comfortable and naturalized on the chain gang in the hot Mississippi sun where, defying every experience I had

growing up in North Carolina and living in Alabama, they barely sweat despite their hard labor. The scene establishes another common chain gang film convention: placing blacks on the chain gang in the role of a kind of Greek chorus—a move that echoes earlier chain gang films such as *Hell's Highway* (1932). In almost all of these films—with the notable exception, as I have suggested, of Sidney Poitier in Stanley Kramer's 1958 *The Defiant Ones*—there is a sense that black convicts should remain in chains while white convicts, for whom the chain gang represents an unnatural condition, remain on the run.

And this dichotomy results from the chain gang's broader history as its own particular form of racial segregation. Indeed, faced with this situation, *O Brother* and other chain gang films often revert to chase films, perhaps to avoid the melodramatic repetition of depicting convict labor conditions or the sting of sensationalized whipping scenes. As a result, directors often resort to lynchings or Klan rallies that relegate the chain-gang narrative to the backseat in favor of more familiar and spectacular forms of racial violence. In *O Brother*, this move is made most decisively in the campy Ku Klux Klan rally and lynching of Tommy that is thwarted by the “colored” color guard—Everett and company have muddied their faces and infiltrated the rally by overtaking the three hooded figures who are bearing the Confederate flag. Now a critical element of the Klan scene, of course, is the way it sends the film's three main characters—Everett, Delmar, and Pete—across the color line as a result of both their muddy camouflaging and the public acclamation of Homer Stokes, the putative reform candidate for governor and local Grand Wizard.

The camouflaging of Everett, Delmar and Pete becomes an unwitting form of minstrelsy by the three protagonists that is essential both to the scene and the remainder of the film, as it results in a commentary on segregation and miscegenation—additional motivation that under



girded lynching, to be sure, but also convict labor and chain gangs. This scene could easily be read as a reference to *The Defiant Ones*, which includes a critical scene of mistaken racial identity when Curtis muddies his face before he and Poitier attempt to burglarize a company store. And it could also be left off as simple screwball designed exclusively to set up Homer Stokes' exasperated declaration after he lifts his red hood and puts on his glasses that, "The colored guard is colored!" But I would suggest that the Coens have more of a grasp of this scene than to construct it around a simple one-liner. Not only does this appropriation of minstrelsy hearken to the case of mistaken racial identity in *The Defiant Ones*' botched company store burglary scene (see Chapter Three), if we associate minstrelsy as a coded commentary on whiteness—rather than simply a form of black caricature—we are able to raise the stakes for *O Brother*'s three fugitives and link their fate to their ability to maintain possession of their whiteness. The moment Everett, Delmar, and Pete reported to Parchman Farm they were not only criminalized, but they also became outcasts who were recast in roles traditionally reserved for the thousands of black men and women that the South struggled and failed to integrate into its social order well into the twentieth century. Ultimately, in a way related to Peter Caster's discussion of prisons and the region's criminal justice system more generally, chain gangs served to restrict mobility and establish the coordinates of freedom for blacks in the South—in a manner similar to what Caster refers to as a "defeat in detail" by outnumbered whites trying to come to terms and respond to their own newfound minority status in the region.<sup>70</sup> This military approach was rooted in various forms of law enforcement and so it comes as little surprise that Sheriff Cooley and his men in *O Brother* persist in their chase and attempt to inflict the most severe sentence when they finally do catch up with Everett, Delmar, and Pete without any reservations or concern for the due process represented by the governor's pardon.

Everett's home place in the soon-to-be flooded valley is supposed to be "the end of the road" for the three desperate fugitives with their bluesman accompanist in tow. In addition to Cooley and his men, Everett, Delmar, Pete, and Tommy are met perhaps by three more convicts—likely trusties whose duty on this day is to dig the graves of their black-and-white counterparts. The three men who emerge from the graves they have been digging, however, are not just doubling Everett, Delmar, and Pete; they are offering up one last bit of commentary on the mortal wounds of violence—whether from the sweatbox, the lash, or lynching. For this and many other reasons, *O Brother, Where Art Thou?* provides an excellent capstone to the twentieth century's rich and deep chain gang film genre by demonstrating how the history of chain gangs and convict labor, like the histories of the hundreds or thousands of men and women who suffered and died under its burdens, can get elided—ironically even when it is essential to a film's plot—in favor of other elements, references, and narratives. Moreover, when Sheriff Cooley denies the Everett's claim to freedom as a result of the governor's pardon because he and his men "ain't got a radio," in one fell swoop the film articulates the shortcomings of the TVA's attempt not just to connect parts of the South to one another but also to reincorporate the region into a national network of shared ideas and common cause. Cooley turns a deaf ear to the political authority of his own governor and denies the Tennessee Valley Authority's ability to impose the nation's belief system to supplant his backwoods and, to him, time-tested methods.

Even if Cooley did wish to jettison this approach—and nothing in the film indicates that he does—he and his deputy henchmen are denied access to the progress that is in a certain sense intended not just to promote economic progress but, in all likelihood, designed to overcome the "old timey" ways and provincialism that, in the view of the federal government, is preventing social progress as well. Even something that seems so pedestrian to Everett and his fellow

convicts—owning a radio—is out of step with Cooley’s reality or, for that matter, his desires. The governor’s authority goes unheard and unheeded because Cooley has yet to encounter the Tennessee Valley Authority with its accompanying rural electrification and Electric Home and Farm Authority (EHFA). In fact, Cooley has no idea that these programs are about to roll down the mountain and flood the very ground upon which he stands. As it pertains to Cooley’s most important tool of law enforcement—the chain gang—these programs and this lack of mass communication and connective tissue across the region carries with it another critical element that is easily overlooked. Throughout this dissertation, I have followed the lead of numerous historians who have outlined the ways in which both convict leasing and public works chain gangs are often referred to as systems, and yet neither I nor these historians have suggested that these systems were in any way coordinated in any conscious and conspiratorial way. In other words, the local justice of the peace who worked closely to supply forced labor field hands to a large landowner through routine “vagrancy roundups” at harvest time likely viewed his work as having a dual benefit—providing needed labor at low or no cost to a leading citizen and, just as important, putting or keeping his town’s “n\_\_\_\_s in their place.” And all of this must have appeared limited in scope and relatively harmless to the perpetrators of these arrangements. However, once mass communication begins to make in-roads into the region or the infrastructure improves sufficiently to improve the likelihood of sharing news and exchanging ideas, the enormity, widespread nature, and dramatic violence inherent in these various individual and isolated arrangements becomes undeniable.

*O Brother, Where Art Thou?* lends itself to this kind of historical reading even if most critics, as I outlined early in this chapter, have opted to focus on the mythology and music that structures and predominates the film. But in the final analysis, the reading that I have performed

in this chapter allows the Coens' film to take a more direct route into southern culture and history by correlating the plot, specifically its climactic flood scene, with the history of the Tennessee Valley Authority's impact on the South beginning in the first half of the twentieth century. The film concludes with the symbolic promise of a New South as advertised on a bulletin board posted by "The Southern Sign System" that Everett, Penny, and their daughters pass. The billboard offers a slightly updated picture of the sepia-colored downtown street that they have just wandered.<sup>71</sup> Part promotion and part propaganda, the bulletin board depicts a modern streetscape with the tagline "Power & Light." The black, freshly painted hooked lampposts pictured on the bulletin board that line the still-unpaved road contrast the two raggedy, wooden poles connected by a thin wire that spans the front of the Apex Diner and other storefronts on the McGills' street. It is as if the promise of a well-lit, electrified future has already gone unfulfilled. And finally, the performance of "Angel Band" by the Wharvey Girls—voiced by Sarah, Hannah, and Leah Peasall (The Peasall Sisters)—and Robert Hamlett (of the Fairfield Four) serves to close the film on an eerie, uncertain note. The most obvious effect of the final shots and closing musical number of *O Brother* relates to the return of the blind prophet and his hand-car, which immediately recalls the encounter and exchange early in the film between Everett, Pete, Delmar and him.<sup>72</sup> However, this time the seer does not appear to the fugitives but rather to the youngest of Everett's daughters who, not by coincidence, is walking with a thin rope tied around her waist as she serves as the final link in a chain of Penny and Everett's children. This moment, in which the young girl pauses to watch the passing hand-car, allows the film to conclude by rendering a kind of spectrophilia on two levels: first, between the young girl whose innocence is thrown into relief and then questioned by the yank on the rope that pulls her away from gazing on the black man and his handcar and also between the audience and a romanticized

view of both the Old South and the naïve belief that modernization and industrialization—with their political and economic intentions—could just as readily and rapidly repair social ills and racial divisions like those wrought by Jim Crow, lynching, and convict labor with all its encumbrances.

## Epilogue

Although it is not the intention or job of filmmakers, films, novels, or other artists and works of art to produce history, a proper understanding of the way chain gang films like *O Brother, Where Art Thou?* deploy their central linking trope results in a more critical examination of the legacy of convict labor, and in this era of the “prison-industrial complex,” racial profiling, and “driving while black,” no responsible person can deny the need to come to terms with the cultural narratives and historical significance of black criminality as frequently constructed to protect society *not* from criminals but from blacks.<sup>1</sup> Here the Coens’ film is of particular importance as a result of its 2000 release and late 1990s production. In 1995, then-Gov. Fob James reinstituted chain gangs in Alabama by shackling together groups of five inmates with an eight-foot chain and working them along roadsides in white uniforms emblazoned with the words “chain gang” on them, as one *Time* reporter put it, “lest anyone mistake them for pastry chefs.”<sup>2</sup> Alabama ended the practice about a year later. But even though Alabama halted the practice, other states—and not just southern ones—brought back chain gangs, and Arizona continues to use them to prop up Sheriff Joe Arpaio’s “toughest sheriff” in America persona. Arizona’s Joe Arpaio paraded out his pink-suited, DUI-chain gang members for the throng of media that rolled into Phoenix for the 2008 Super Bowl. Even if these recent uses of chain gangs are not motivated by race, the disproportionate rate of incarceration for blacks and the history of this form of punishment encodes its racist implications and re-inscribes the inequality, prejudice, hatred, maltreatment, and dehumanization associated with their historical antecedents.<sup>3</sup> The rationale given by these law enforcers and policy makers for contemporary chain gangs substantiates the critical

need to examine cultural representations of them, and chain gang films for nearly a century have revealed a great deal about these practices.

In addition to making three completely separate historians with work published in 1996 feel as though their long-term archive-dependent efforts were somehow “ripped from the headlines” (Matt Mancini’s *“One Dies, Get Another”*, David Oshinsky’s *“Worse Than Slavery”*, and *Twice the Work of Free Labor* by Alex Lichtenstein), the events in Alabama and Arizona, in particular, caused the rest of the nation to take notice not just of these contemporary manifestations of convict labor but also to revisit the history of chain gangs and consider their ideological underpinnings. For clearly, at least in some quarters of the country, a belief in both the practical and symbolic utility of chain gangs had remained sufficiently vibrant to allow the seeds of these practices to germinate and sprout forth almost 60 years after they were commonplace and 30 years after they had all but died out. A few years before *O Brother*—a film that as I have argued throughout the last chapter depends almost equally on the chain gang film tradition as it does on the history of the chain gang itself—director Kevin Hooks must have benefited somewhat from the return of the chain gang to aid in the making of *Fled* (1996), a modernized, loose remake of *The Defiant Ones* (1958). *Fled* starred Laurence Fishburne as Piper, updating Sidney Poitier’s Noah Cullen, and Stephen Baldwin as Dodge in place of Tony Curtis’s John “Joker” Jackson. Hooks’ adaptation of the interracial buddy film (see Chapter Three) that also relied on the chain gang to connect its two protagonists offered up a plot that was a bit more convoluted than its Academy Award-winning predecessor. In a departure from the more central role of race relations that drove director Stanley Kramer’s film, Baldwin’s Dodge is a computer hacker, and, among other plot

elements, the film somehow involves a missing floppy disk (a plastic item that was used in early personal computers to store information), an evil Federal marshal, and the Cuban mafia to make it work—or not.<sup>4</sup>

Besides this relative flurry of history books specifically about chain gangs and convict labor, films, and other fictional representations of chain gang practices, the late 1990s also saw the making of two useful and fascinating documentaries on this subject—*The Farm: Life inside Angola Prison* (1998) and *American Chain Gang* (1998).<sup>5</sup> These films clearly became more relevant, and perhaps in both cases (but definitely in the latter) were inspired by and reliant on the re-emergence of chain gangs. For its part, *American Chain Gang* (1998) chronicles two separate chain gang initiatives in Limestone County, Alabama, and Maricopa County, Arizona. Arizona's chain gangs included entirely female crews—which, ironically, was one of the controversies that undid Gov. James's program after his chivalric sense of southern manhood left him conflicted about whether to chain women and resulted in an equal protection civil lawsuit. In large part, the Maricopa county female chain gangs consisted of convicted prostitutes and drug addicts and dealers.<sup>6</sup> After a brief recap of the history of chain gangs and an introduction to these two sites, we learn early in *American Chain Gang* that Alabama called its chain gangs in the mid-1990s, "The Alternate Thinking Unit." After providing this information through intertitles against a techno-blues audio backdrop and some B-roll of convicts at work, the screen flashes: "It is intended to make a strong impact on the criminal population and the general public."

Following an introduction to Alabama's program, director Xackery Irving's film then cuts to Maricopa County's Estrella Jail, built in 1991 to house approximately 1,000



mostly female inmates, and the reported home of the first all-female chain gang.<sup>7</sup> A television reporter voiceover describes the chain gang's makeup of "15 of the hardest-core female prisoners at the Maricopa County Jail." Among these "hardest-core" inmates, we meet Dana "Frenchie" Stanley, on the chain gang after repeated arrests for prostitution. Standing on a sidewalk with traffic noise in the background, Stanley invites the filmmaker and his audience into her familiar space: "The street we on now is where the prostitutes work. *This is the street that I work on* [my emphasis]. What better way for publicity than to put us on the street where the tricks ride? I work this street right here that we standin' on cleanin' right now." In the beginning of this dissertation, I carefully examined a photograph from a 1909 Birmingham, Alabama, street where convicts in chains were pounding away, presumably to improve the road. As I conclude, I would suggest that juxtaposing these images—the 1909 photo from Birmingham and Frenchie Stanley's comments from Maricopa County—provides the bookends for a visual archive of chain gang representations that extends through the *entire* twentieth century, even as the specific historical period that interests me falls roughly between 1880 and 1940. In other words, the southern chain gang is a particular, time-bound institution but it carries with it sufficient cultural capital to open out into a cultural narrative of national interest that teaches us all important, contemporary lessons.

We see in these various responses to the isolated but highly publicized and sensationalized reinstitutions of chain gangs a cultural fascination with a practice that for nearly a century—from the Civil War to World War II—was routine and indistinguishable from other technologies of punishment in the United States. As such, my hope for the final chapter and for this dissertation as a whole has been that by

analyzing a recent text like *O Brother* (2000) in the same study as Charles Chesnutt's *The Marrow of Tradition* (1901), "*Restricted Movement*" and *Coordinates of Freedom* takes the full measure of the twentieth century to demonstrate the enduring and painful legacy of chain gangs and convict labor. This long view also should allow the dissertation to enter a vibrant and complex conversation about race, criminality, prison studies, southern and American history, and literary and film studies at a crucial moment for injecting this history into the conversations of various scholars and critics, who can then come to understand both what is at stake in this history and the responsibility we all share both for coming to terms with this past and correcting the mindset that proliferates it. To encourage further and thoughtful discussion of these issues, this dissertation's readings of novels and films that are interested in and informed by chain gang history forges greater continuity for a cultural understanding of oppression that persists in our culture, society, and government. By coming to terms with the history of the construction of black criminality, we might better understand the root causes of prison overcrowding, differential punishment, and the fact that incarceration, as sociologists Becky Pettit and Bruce Western and others have argued, is becoming "a new stage in the life course of young low-skill black men."<sup>8</sup> As David Simon, co-author of *The Corner* and creator of HBO's *The Wire* trenchantly put it during a DVD commentary for that series, "If the War on Drugs were being fought against white people, it would have ended 10 years ago." In other words, the legacy of convict labor and chain gangs as an institution in which mostly black men and women are abused and stripped of their freedom and humanity should not simply enter the realm of historical abstraction, literary metaphor, or academic curiosity, and it should not become reduced to piecemeal terms of a visual vocabulary confined to

television and movie screens. Rather, through a careful and thoughtful treatment of literary and film representations like the ones presented in these pages, convict labor and its critical role in paradoxically advancing and stifling the South and the nation can be physically felt, and the chain link can be reconstituted and resituated as a site of memory and a metonymy for enslavement, racial oppression, and injustice.

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## Notes

### Introduction

<sup>1</sup> This dissertation gets its title from two different sources. “Restricted Movement” was a euphemism for a form of disciplining convicts that was witnessed and then reported by muckraking journalist John L. Spivak in his realistic novel *Georgia Nigger*, which has been recently republished under the euphemistic title *Hard Times on a Southern Chain Gang*, with an introduction by David A. Davis. “Restricted movement,” also known as “stretching,” involved tying a convict to a post while tying another rope to the convict’s handcuffs and pulling him toward a second post “until the arms are almost torn from their sockets” and then leaving the convict in the sun, where often within an hour he would lose consciousness. Coordinates of freedom is a term that I picked up from Min Song in a conversation we had about *Native Son*, during which we discussed the way the city of Chicago was closing in on Bigger Thomas after he has smothered Mary Dalton to death. Both of these terms capture one of the central arguments of this dissertation, which involves the way chain gangs have served to severely limit black mobility in various forms. See John L. Spivak, *Georgia Nigger*, Publication No. 32: Patterson Smith Reprint Series in Criminology, Law Enforcement, and Social Problems (1932; Montclair, NJ: Patterson Smith, 1969); John L. Spivak, *Hard Times on a Southern Chain Gang: Originally Published as the Novel Georgia Nigger (1932)*, (University of South Carolina Press, 2012); Richard Wright, *Native Son* (1940; Harper Perennial, 1996).

<sup>2</sup> “Street Workers with Guards,” Birmingham Public Library Digital Collections, August 10, 1909, accessed April 12, 2012, [http://bpldb.bplonline.org/bpldm/monuments/coll6\\_1599.html](http://bpldb.bplonline.org/bpldm/monuments/coll6_1599.html).

<sup>3</sup> Bryan Wagner, “Charles Chesnutt and the Epistemology of Racial Violence,” *American Literature* 73, no. 2 (June 2001): 311-337.

<sup>4</sup> “Racial Tensions in Omaha: A Horrible Lynching,” NebraskaStudies.org 1900-1924, Accessed April 10, 2012, [http://www.nebraskastudies.org/0700/frameset\\_reset.html?http://www.nebraskastudies.org/0700/stories/0701\\_0134.html](http://www.nebraskastudies.org/0700/frameset_reset.html?http://www.nebraskastudies.org/0700/stories/0701_0134.html)

<sup>5</sup> Frederick Douglass, *The Life and Times of Frederick Douglass: 1817-1882, Written by Himself* (London: Christian Age Office, 1882) 331, Google E-Book, Accessed April 10, 2012, <http://books.google.com/books?id=X8ILAAAAIAAJ&dq=the+life+and+times+of+frederick+douglass+%22free+from+the+individual+master%22&q=free+from+the+individual+master+but+a+slave#v=snippet&q=free%20from%20the%20individual%20master%20but%20a%20slave&f=false>.

<sup>6</sup> The terms re-enslavement and neo-slavery come from various sources and are most frequently linked to a system of peonage that I will outline in more detail below. For the most extensive discussion of these practices, see Alex Lichtenstein, *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South* (London; New York: Verso, 1996); Edward L. Ayers, *Vengeance and Justice: Crime and Punishment in the 19<sup>th</sup>-Century American South* (Oxford: Oxford University Press, 1984); Matthew J. Mancini, *One Dies, Get Another: Convict Leasing in the American South, 1866-1928*

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(University of South Carolina Press, 1996); and Douglas A. Blackmon, *Slavery by Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II* (New York: Random-Doubleday, 2008). Lichtenstein's chain gang roadwork chapter is a later and only slightly modified iteration of an article that appeared in *The Journal of Southern History* from February 1993. I consulted both texts while preparing this manuscript.

<sup>7</sup> In a review of Blackmon's book, Lichtenstein takes umbrage with Blackmon's claim that this is somehow an "unknown history," pointing out the amount of work historians had done on the subject prior to Blackmon's contribution. Alex Lichtenstein, "Remembering Joe Turner: Neo-Slavery in the South," *Dissent* (Fall 2009): 118-121.

<sup>8</sup> "Slavery by Another Name," PBS Video, February 13, 2012, 90 minutes, <http://video.pbs.org/program/slavery-another-name/>

<sup>9</sup> However, just as relevant as these debates surrounding traditional history is a discussion about the artistic and literary works related to convict labor that Blackmon's work omits. In essence, *Slavery by Another Name* not only offers limited treatment of these depictions but also straddles a line between history and literature, hindering its ability to do as effective a job with either. As trade presses publish more and more award-winning works of literary nonfiction that attempt to capture the feel of historical events, authors like Blackmon are populating their works with "characters" rather than people or even historical figures. This suggests the limits, or perhaps the very definition of literary nonfiction, which places writers between the demands of accuracy and fact associated with traditional historical research and the narrative structures and character development essential to effective and entertaining works of fiction. Another recent example of this type of work is Isabel Wilkerson's sweeping *The Warmth of Other Suns: The Epic Story of America's Great Migration* (Random House, 2010), which won the 2011 National Book Critics Circle Award for Nonfiction. Wilkerson zeroes in on three "characters," as she calls them in her public readings, that left their respective southern states for northern cities in the 1930s, 1940s, and 1950s.

<sup>10</sup> James Smethurst, "After slavery, new system recreates old torments," *The Boston Globe*, boston.com, June 22, 2008, Accessed April 10, 2012, [http://www.boston.com/ae/books/articles/2008/06/22/after\\_slavery\\_new\\_system\\_recreate\\_s\\_old\\_torments/](http://www.boston.com/ae/books/articles/2008/06/22/after_slavery_new_system_recreate_s_old_torments/)

<sup>11</sup> Matthew D. Lassiter and Joseph Crespino, ed., *The Myth of Southern Exceptionalism* (Oxford: Oxford University Press, 2010).

<sup>12</sup> Caster, Peter, *Prisons, Race, and Masculinity in Twentieth-Century U.S. Literature and Film* (Columbus: OSU P, 2008), pp. 206-207.

<sup>13</sup> Robert Penn Warren, *The Legacy of the Civil War* (1961; Cambridge, Mass.: Harvard University Press, 1983), 60.

<sup>14</sup> In fact, one might argue that this approach recently went multinational when BP Oil briefly took advantage of Louisiana's convict labor practices to get help cleaning up oil along the Gulf Coast. The use of convicts was short-lived though, but not because of any claims of cruelty and ardor—though some black leaders did point this out—but rather because white laborers who lived and worked along the coast complained to officials about the racial disparity of the workers, objecting on the grounds that the convicts were taking away desperately needed work from them. Abe Louise Young, "BP Hires Prison

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Labor to Clean Up Spill While Coastal Residents Struggle,” *The Nation*, July 21, 2010, Accessed April 10, 2012, <http://www.thenation.com/article/37828/bp-hires-prison-labor-clean-spill-while-coastal-residents-struggle>

<sup>15</sup> Oshinsky, 57.

<sup>16</sup> Lichtenstein, 5.

<sup>17</sup> Mancini, 198.

<sup>18</sup> *Ibid.*, 2.

<sup>19</sup> William Cohen, *At Freedom's Edge: Black Mobility and the Southern White Quest for Racial Control, 1861-1915* (Baton Rouge: Louisiana State University Press, 1991), 242-244.

<sup>20</sup> See Ariela J. Gross “Litigating Whiteness: Trials of Racial Determination in the Nineteenth-Century.” *Yale Law Journal* 108:1 (1998): 109-188; Cheryl I. Harris, “Whiteness as Property,” *Critical Race Theory: The Key Writings That Formed the Movement*, Eds. Crenshaw, Kimberlé et al. (New York: The New Press, 1995), 276-291; and Charles W. Mills, *Blackness Visible: Essays on Philosophy and Race* (London; Ithaca: Cornell UP, 1998).

<sup>21</sup> George Washington Cable, *The Silent South Together with the Freedman's Case in Equity and The Convict Lease System* (New York: Charles Scribner's Sons, 1885), Google E-Book, accessed April 10, 2012, <http://books.google.com/books/reader?id=FnF2AAAAMAAJ&printsec=frontcover&output=reader&pg=GBS.PA5>; Ida B. Wells, Frederick Douglass, et al., *The Reason Why the Colored American is Not in the World's Columbian Exposition*, edited by Robert W. Rydell (1893; Urbana; Chicago: University of Illinois Press, 1999), University of Pennsylvania Digital Library, accessed April 10, 2012, <http://digital.library.upenn.edu/women/wells/exposition/exposition.html>.

<sup>22</sup> Robert E. Burns, *I am a Fugitive from a Georgia Chain Gang!* (1932; London; Athens, Ga.: UGa P, 1997); *I Am a Fugitive from a Chain Gang*. Dir. LeRoy, Mervyn. Perfs. Paul Muni, Glenda Farrell, et al. Warner Home Video. 1932. 2005. 1 videodisc (92 min.); sd., b&w; 4 ¾ in.

<sup>23</sup> See Eric J. Sundquist, *To Wake the Nations: Race in the Making of American Literature* (Cambridge, Mass.: Belknap Press of Harvard University Press, 1993); Charles Waddell Chesnut, *The Journals of Charles W. Chesnut*, edited by Richard Brodhead (Durham: Duke University Press, 1993); Richard H. Brodhead, *Cultures of Letters: Scenes of Reading and Writing in Nineteenth-Century America* (Chicago: University of Chicago Press, 1995).

<sup>24</sup> On the novel's apocalyptic nature, see Maxine Lavon Montgomery, *The Apocalypse in African-American Fiction* (Gainesville: University of Florida Press, 1996); On miscegenation and masculinity in the novel, see Sandra Gunning, *Race, Rape, and Lynching: The Red Record of American Literature, 1890-1912* (New York: Oxford University Press, 1996); For the novel's relationship to history and politics, see Sundquist, 406-435.

<sup>25</sup> Julia Lee has recently focused more attention on McBane's role in the novel, but her interest and approach differ from mine. See Julia H. Lee, “Estrangement on a Train: Race and Narratives of American Identity,” *ELH*, vol. 75, no. 2 (Summer 2008): 345-365.

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<sup>26</sup> Charles W. Chesnutt, *The Marrow of Tradition* (Mineola, NY: Dover Publications, 2003), 20.

<sup>27</sup> *Marrow*, 23.

<sup>28</sup> Malcolm O. Sillars appears to be the first critic to come to Warren's aid and challenge the partly accurate supposition that Willie Stark and Louisiana's Huey Long are one and the same. About a decade after the publication of *All the King's Men*, Sillars catalogues a long list of demagogues who embodied the traits and mirrored the words and deeds of Warren's protagonist. I list them here purely out of an affinity for their colorful nicknames—or perhaps “real” names for all I know—as well as my kindred feelings for the state of Alabama: “Bloody Bridles Waite of Colorado, Sockless Jerry Simpson of Kansas, William Jennings Bryan of Nebraska, Alfalfa Bill Murray of Oklahoma, Kissin' Jim Folsom of Alabama.” Of course, Warren's novel dictated who would remain as the most famous of these demagogues and has for decades shaped the history and mythology of his legacy. See Malcolm O. Sillars, “Warren's *All the King's Men*: A Study in Populism,” *American Quarterly* 9, no. 3 (Autumn, 1957): 345.

<sup>29</sup> Janice Siegel, “The Coens' *O Brother, Where Art Thou?* and Homer's *Odyssey*,” *Mouseion*, Series III, Vol. 7 (2007): 213-245.

<sup>30</sup> Hugh Ruppensburg, ““Oh, so many startlements . . .”: History, Race, and Myth in *O Brother, Where Art Thou?*,” *Southern Cultures* 9, no. 4 (Winter 2003): 16.

<sup>31</sup> In March 1996, there were more than 21,000 inmates in Alabama's state prison system. Of those, only 576 actually went out on chain gang road crews, according to the *New York Times* (April 28, 1996; sec. 1, p. 30, col. 4).

<sup>32</sup> Peter T. Kilborn, “Revival of Chain Gangs Take a Twist; Stun Belts Emerge as the Latest Tool to Keep Inmates in Line”, *New York Times* (1857-Current file); Mar. 11, 1997; ProQuest Historical Newspapers The New York Times (1851-2004), pg. A18. For a thorough discussion with background of Amnesty International's opposition to stunning devices in general and “stun belts” on chain gangs in particular, see Cusac, Anne-Marie. “Shock Value: U.S. Stun Devices Pose Human-Rights Risk.” *The Progressive* 61.n9 (September 1997): 28(4), [Academic OneFile](#), Gale, Boston College, 2 June 2008.

<sup>33</sup> Arpaio timed a press release on 30 January 2008 ahead of the February 2 game that resulted in national coverage. See “News Release: DUI Chain Gang – Super Bowl”, *Maricopa County Sheriff's Office*, 30 Jan. 2008, Maricopa County Sheriff's Office, 2 June 2008 <[http://www.mcso.org/index.php?a=GetModule&mn=Special\\_Announce](http://www.mcso.org/index.php?a=GetModule&mn=Special_Announce)>. For Bristol County (Mass.) Sheriff Thomas Hodgson's “tandem work crews”, see Chiu, Alexis, “Even Massachusetts Turns Back Clock to Chain Gangs”, *The Associated Press and Local Wire*, June 17, 1999, Thursday, PM cycle, 2 June 2008, <[www.lexisnexis.com/...](http://www.lexisnexis.com/...)>. For settlement of Alabama's chain gang case, see Pearson, Michael, “Settlement Ends Alabama Chain Gangs”, *Associated Press*, June 21, 1996, Friday, PM cycle, 2 June 2008 <[www.lexisnexis.com/...](http://www.lexisnexis.com/...)>.

<sup>34</sup> For a statistical analysis of the emergence and nature of incarceration among black men born in the late '60s, see Becky Pettit and Bruce Western, “Mass Imprisonment and the Life Course: Race and Class Inequality in U.S. Incarceration,” *American Sociological Review*, vol. 69, no. 2 (April, 2004), pp. 151-169. For a compelling discussion of the “conditions of possibility” that brought about California's massive prison system as well as some useful background on incarceration rates in the United States, see Ruth Wilson

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Gilmore's *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California* (Berkeley: U of Cal P, 2007). For a discussion of differential punishment that suggests that sentences are harsher in crack cocaine arrests than in pure cocaine arrests because black people get arrested for crack and white people get arrested for powder, see Alexander, Rudolph, Jr. and Jacquelyn Gyamerah, "Differential Punishing of African Americans and Whites Who Possess Drugs: A Just Policy or a Continuation of the Past?" *Journal of Black Studies* 28, no. 1 (Sept., 1997), pp. 97-111.

## Chapter One

<sup>1</sup> The Waddell quotation is recorded in various forms. This version comes from an essay about the relationship of *Marrow* to another novel about the election and subsequent violence in Wilmington in November 1898. Belau, Linda and Ed Cameron. "Charles W. Chesnutt, Jack Thorne and the African American Literary Response to the 1898 Wilmington Race Riot." *Charles Chesnutt Reappraised: Essays on the First Major African American Fiction Writer*. Eds. David Garrett Izzo and Maria Orban. Jefferson, NC: McFarland & Co., 2009. 13.

<sup>2</sup> For a recent official report of these events, see North Carolina, Dept. of Cultural Resources, *1898 Wilmington Race Riot Report*, 1898 Wilmington Race Riot Commission, LaRue Umfleet, principal researcher, Raleigh: Office of Archives and History and Archives, 31 May 2006, Web, 23 March 2010, <<http://www.history.ncdcr.gov/1898-wrrc/report/report.htm>>.

<sup>3</sup> Sundquist, 406

<sup>4</sup> All citations from Charles W. Chesnutt, *The Marrow of Tradition* (Mineola, NY: Dover Publications, 2003).

<sup>5</sup> See Linda Belau and Ed Cameron, "Charles W. Chesnutt, Jack Thorne and the African American Literary Response to the 1898 Wilmington Race Riot," in *Charles Chesnutt Reappraised: Essay on the First Major African American Fiction Writer*, edited by David Garrett Izzo and Maria Orban (Jefferson, NC: McFarland & Company, Inc., Publishers, 2009), 7-25; Willie J. Harrell, Jr., "'The fruit of my own imagination': Charles W. Chesnutt's *The Marrow of Tradition* in the Age of Realism," in *Charles Chesnutt Reappraised: Essay on the First Major African American Fiction Writer*, edited by David Garrett Izzo and Maria Orban (Jefferson, NC: McFarland & Company, Inc., Publishers, 2009), 26-41; Susan Danielson, "Charles Chesnutt's Dilemma: Professional Ethics, Social Justice, and Domestic Feminism in *The Marrow of Tradition*," *Southern Literary Journal* 41, no. 1 (Fall 2008): 73-92; Ryan Jay Friedman, "'Between Absorption and Extinction': Charles Chesnutt and Biopolitical Racism," *Arizona Quarterly* 63, no. 4 (Winter 2007); Bryan Wagner, "Charles Chesnutt and the Epistemology of Racial Violence," *American Literature* 73, no. 2 (June 2001): 311-337.

<sup>6</sup> Recent scholarship has emphasized the inextricability of legal definitions of race from prevailing cultural beliefs about biology and property. See Ariela J. Gross "Litigating Whiteness: Trials of Racial Determination in the Nineteenth-Century." *Yale Law Journal* 108:1 (1998): 109-188; Cheryl I. Harris, "Whiteness as Property," *Critical Race Theory: The Key Writings That Formed the Movement*, Eds. Crenshaw, Kimberlé et al. (New York: The New Press, 1995), 276-291; and Charles W. Mills, *Blackness Visible: Essays on Philosophy and Race* (London; Ithaca: Cornell UP, 1998).



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<sup>7</sup> Sundquist, 445.

<sup>8</sup> Ibid., 445.

<sup>9</sup> Ryan Simmons, *Chesnutt and Realism: A Study of the Novels* (Tuscaloosa: The University of Alabama Press, 2006), 103

<sup>10</sup> Jae Roe, "Keeping an 'Old Wound' Alive: *The Marrow of Tradition* and the Legacy of Wilmington," *African American Review* 33, no. 2 (Summer 1999): 235.

<sup>11</sup> Mancini, 121.

<sup>12</sup> Ibid., 126-130.

<sup>13</sup> Delamere commends the good work Dr. Miller does by founding a hospital in the city, and leaves money in his will to Miller for the hospital. However, Gen. Belmont (serving as Delamere's lawyer) suppresses the will (152-153).

<sup>14</sup> Mancini, 1.

<sup>15</sup> In addition to being a prominent member and perhaps the first Grand Wizard of the Ku Klux Klan, Forest once held the exclusive right to the leasing of all of Mississippi's convicts (Oshinsky, 43; Mancini, 133-134). For a recent study of Tillman, see Stephen Kantrowitz, *Ben Tillman & the Reconstruction of White Supremacy* (Chapel Hill; London: The University of North Carolina Press, 2000); For a brief discussion of Tillman's incendiary influence over southeastern North Carolina leading up to the Wilmington Massacre and Coup of 1898, see Kantrowitz, "The Two Faces of Domination in North Carolina, 1800-1898," in *Democracy Betrayed: The Wilmington Race Riot of 1898 and Its Legacy*, edited by David S. Cecelski and Timothy B. Tyson (Chapel Hill: The University of North Carolina Press, 1998), 106.

<sup>16</sup> Helen G. Edmonds, *The Negro and Fusion Politics in North Carolina, 1894-1901* (1951; New York: Russell & Russell, 1973), 174.

<sup>17</sup> H. Leon Prather, Sr., *We Have Taken a City: Wilmington Racial Massacre and Coup of 1898* (Cranberry, NJ: Associated University Presses, 1984).

<sup>18</sup> See Prather; Cecelski and Tyson.

<sup>19</sup> Peter Caster, *Prisons, Race, and Masculinity in Twentieth-Century US Literature and Film* (Columbus: Ohio State University Press, 2008), 50.

<sup>20</sup> Sundquist, 445.

<sup>21</sup> Dewey W. Grantham, *Southern Progressivism: The Reconciliation of Progress and Tradition* (Knoxville: University of Tennessee Press, 1983), 118; Ernestine Williams Pickens, *Charles W. Chesnutt and the Progressive Movement* (New York: Pace University Press, 1994), 52-53).

<sup>22</sup> Pickens, 32.

<sup>23</sup> Ibid., 32-33.

<sup>24</sup> Grantham, xvii.

<sup>25</sup> Ibid., 112.

<sup>26</sup> Ibid., 112-113.

<sup>27</sup> C. Vann Woodward, *The Strange Career of Jim Crow* (New York: Oxford University Press, 1957), 75.

<sup>28</sup> Charles Manly, Whig governor of North Carolina from 1849-1851, had two sets of children, one born to a slave woman and a second to his legal white wife. Based on an interview with Alex Manly's son Milo, Prather reports that there is a controversy about whether the slave family was ordered to add an *e* to its surname to distinguish the

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children of the slave girl from “the legitimate family.” Hence, various accounts name Alex Manly while others go with Alex Manley. Prather, 68-69.

<sup>29</sup> Crystal Nicole Feimster, *Southern Horrors: Women and the Politics of Rape and Lynching* (Cambridge: Harvard University Press, 2009), 228-229.

<sup>30</sup> Wilmington, of course, was only the beginning of what some historians have tabbed “Jim Crow riots”—interracial violence and massacres that occurred between 1898 and the “red summer” of 1919, a year during which there were 26 so-called race riots between April and October. See Paul A. Gilje, *Rioting in America* (Indiana University Press, 1996); Jan Voogd, *Race Riots and Resistance: The Red Summer of 1919* (New York: Peter Lang, 2008); Walter C. Rucker and James N. Upton, *Encyclopedia of American Race Riots* (Greenwood Publishing Group, 2007); Lee E. Williams and Lee E. Williams II, *Anatomy of Four Race Riots: Racial Conflict in Tulsa, Elaine (Arkansas), and Chicago, 1919-1921* (University Press of Mississippi, 2008); For a poet’s imaginative response to the events of 1919, See Amaud Jamaul Johnson, *Red Summer* (North Adams, Mass.: Tupelo Press, 2006); Harper Barnes, *Never Been a Time: The 1917 Race Riot that Sparked the Civil Rights Movement* (New York: Walker Books, 2008).

<sup>31</sup> *Wilmington (NC) Weekly Star*, 26 August 1898, quoted in Richard Yarborough, “Violence, Manhood, and Black Heroism: The Wilmington Riot in Two Turn-of-the-Century African American Novels,” in *Democracy Betrayed: The Wilmington Race Riot of 1898 and Its Legacy*, edited by David S. Cecelski and Timothy B. Tyson (Chapel Hill: The University of North Carolina Press, 1998), 228; As Crystal Feimster points out, Felton shifted her position considerably or at least reframed her arguments years later. In a letter responding to an anti-lynching editorial in the *Atlanta Constitution* in January 1920, Felton complained about the injustice of all-white male juries that were handing out light sentences to white men who raped black women and lynched black men. As Feimster concludes, Felton in 1897 had considered lynching a “necessary evil” to protect white women from black men. Roughly 20 years later, she lamented the courts’ inability to properly punish white men for their crimes against black women and black men. Feimster, 203-204.

<sup>32</sup> These four terms have particular meanings based on the way different people handle them. Fusion, in this context, relates to a particular political contest in North Carolina involving a biracial coalition of Republicans and agrarian Populists who were vying for control of the state and the South and had developed a political foothold in North Carolina in the 1890s. Amalgamation, which relates to the idea of legally and biologically constructing a single race of Americans, is a particularly germane term here as a result of Chesnutt’s writings in a three-part series of editorials on the subject published in the *Boston Evening Telegraph* in August and September 1900. Miscegenation, the marriage or breeding of people of different races—based on the assumption that race can be biologically defined—was an extremely challenging issue for the region and the nation—and in some social circles remains so. Finally, segregation becomes important on a number of levels, but for Chesnutt the fact that it served as an impediment to amicable race relations in the interest of social progress—to say nothing of how it hindered amalgamation—stood out as the most important issue. Charles Chesnutt, “The Future American: What the Race Is Likely to Become in the Process of Time,” *Boston Evening Transcript* (August 18, 1900): 20; Charles Chesnutt, “The Future

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American: A Stream of Dark Blood in the Veins of Southern Whites,” *Boston Evening Transcript* (August 25, 1900): 15; Charles Chesnutt, “The Future American: A Complete Race Amalgamation Likely to Occur,” *Boston Evening Transcript* (September 1, 1900): 24; For a discussion of Chesnutt’s argument that these forms of racial separation and segregation forestalled progress and democracy in the South, see Pickens, 84-85.

<sup>33</sup> The investigation was modeled after inquiries concerning racial violence in Rosewood, Florida, and Tulsa, Oklahoma. According to the *Times*, then-Mayor Spence Broadhurst called the 2006 report a “powerful thing” that would unite rather than divide Wilmington. He followed those comments with a somewhat predictable political response to the Commission’s call for action. He said, “If the state legislature and the governor’s office choose to send us more resources to continue to implement our plans, we would more than welcome it.” John Desantis, “Wilmington, N.C., revisits a bloody 1898 day,” the *New York Times* at 1, 33. June 4, 2006; For additional coverage, see and listen to Ed Gordon, “Report Re-Examines 1898 Wilmington Race Riots,” *News and Notes*, NPR, June 19, 2006, Accessed April 12, 2012,

<http://www.npr.org/templates/story/story.php?storyId=5495042>

<sup>34</sup> Michael Perman, in his state-by-state discussion of black disfranchisement, discusses how North Carolina Democrats amended the state’s Constitution on the heels of their victory in the 1898 statewide elections to disfranchise blacks and forestall any further biracial political coalitions in their state. Perman provides one the most thorough and useful treatments of North Carolina Fusion politics in the 1890s since Edmonds’ 1951 book. Michael Perman, *Struggle for Mastery: Disfranchisement in the South, 1888-1908* (Chapel Hill; London: The University of North Carolina Press, 2001), 148-172.

<sup>35</sup> Manly published his editorial just as a group of white men called the Secret Nine were organizing a local campaign of white supremacy to mirror statewide efforts and challenge the elected Republican and Populist leaders of the city. In the spring and summer of 1898, three leading North Carolina Democrats—Party Chairman Furnifold Simmons, Charles Brantley Aycock, and Daniels of the *N&O*—had met in the small inland town of New Bern to try to figure out how to regain political control of the state. In 1896, Fusionists had won a majority of legislative seats and helped get Republican Daniel L. Russell elected governor. Russell, a white attorney who was also from Wilmington, had been a longtime political opponent of Alfred Waddell, of all people. Russell defeated Waddell in a congressional election in 1878 by fewer than 1,000 votes. “NC District 03,” *Our Campaigns*, last modified April 9, 2012, Accessed April 12, 2012, <http://www.ourcampaigns.com/RaceDetail.html?RaceID=232219>

<sup>36</sup> Glenda E. Gilmore, “Murder, Memory, and the Flight of the Incubus,” in Cecelski and Tyson, 89).

<sup>37</sup> LeAnn Whites, “Love, Hate, Rape, Lynching: Rebecca Latimer Felton and the Gender Politics of Racial Violence,” in Cecelski and Tyson, 155.

<sup>38</sup> Lichtenstein writes that he discovered in Felton’s papers that she knew Joseph E. Brown, Georgia’s largest convict lessee, quite well and even bought convict-mined coal from him at a considerable discount. Lichtenstein, xvii. In fact, the issue that drove Felton’s first foray into state politics related to her anger over the fact that white male guards on Georgia’s chain gangs were having sex and bearing children with black female convicts. See Feimster, 64-68. Until recently, the presence of children on chain gangs and

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the sexual abuse of female convicts have been among the lesser-recorded facts about the convict lease system. Recent Yale American studies graduate Sarah Haley has written a dissertation that looks at women who were in Georgia's convict labor system. See Sarah Haley, "Engendering Captivity: Black Women and Convict Labor in Georgia, 1865-1938" (PhD diss., Yale University, 2010). I am thankful to Crystal Feimster for letting me know about Haley's when Feimster gave a guest lecture at Boston College in the spring of 2010.

<sup>39</sup> Yarborough, 227.

<sup>40</sup> New Hanover County was the "heart of the coastal plain, both geographically and symbolically." The county was one of 18 contiguous "black counties"—designated as such because their Negro population exceeded 50 percent. I would argue that the political implications of allowing these counties greater control of their own areas would have resulted in serious consequences for the state's political economy since African Americans would have seized control of the coast with its potential to be the economic engine among the state's three regions—highlands, piedmont, and coastal—which Prather describes as interacting "like jealous and independent states." Prather, 31.

<sup>41</sup> Feimster, 127.

<sup>42</sup> Whites, 156-158.

<sup>43</sup> Gilmore, 78.

<sup>44</sup> Mancini treats one of the most hellish of these accounts, citing the discovery in March 1888 of a graveyard in Coal Hill, Arkansas, where 60 to 70 convicts who had "died by the dozens of scurvy, malaria, overwork, and murder" were secretly buried "under sixteen inches of marshy earth." Mancini, 121.

<sup>45</sup> *Ibid.*, 126-130.

<sup>46</sup> It is worth noting that in this scene Delamere comments on the good work Dr. Miller is doing by founding a hospital in the city. Delamere says that if his estate were clear he would like to do something to support the hospital. Of course, after a series of events too lengthy to go into here, the elder Delamere, unbeknownst to Miller, does leave a great deal of money in his will to Miller for the hospital. Unfortunately, Gen. Belmont serves as Delamere's lawyer and in the interest of "higher law" sees his way clear to suppress the will. He considers destroying the will but then decides to lock it in his safe in case "young Delamere, who was of a fickle disposition might wish to change his legal advisor" (152-153).

<sup>47</sup> Mancini, 1.

<sup>48</sup> In addition to being the first grand wizard of the Ku Klux Klan, Forrest once held the exclusive right to lease all of Mississippi's convicts. See Oshinsky, 43; Mancini, 133-134. For more on Tillman, See Kantrowitz in Cecelski and Tyson, 95-112.

<sup>49</sup> Oshinsky, 57.

<sup>50</sup> Lichtenstein, 5.

<sup>51</sup> Mancini, 198.

<sup>52</sup> *Ibid.*, 2.

<sup>53</sup> *Ibid.*, 54. Prather notes that the longleaf pines that lined the Cape Fear River and could be found all over eastern North Carolina turned Wilmington into "the turpentine capital of the world." Prather, 18.

<sup>54</sup> Lichtenstein, 96.

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<sup>55</sup> Cohen, 243-245.

<sup>56</sup> One of the largest leasers of convicts in Alabama and Georgia was the Tennessee Coal and Iron Company, a subsidiary of Pittsburgh-based U.S. Steel, which suggests a compliance on the part of northern industrialists for an institution that has become historically and culturally embarrassing, at best, and wretched and painful, at worst. Often black convicts handled the most dangerous and labor-intensive jobs in mining and the railroads, such as dynamiting hilly areas or clearing dense forests to create flat rail beds. See Blackmon, Lichtenstein, Mancini, and Oshinsky for extensive accountings of this relationship and these conditions.

<sup>57</sup> Lichtenstein, xvi.

<sup>58</sup> Ibid., 85.

<sup>59</sup> J. Thorsten Sellin, *Slavery and the Penal System* (New York: Elsevier, 1976), 166.

<sup>60</sup> Hastings H. Hart, "Prison Conditions in the South," *Proceedings of the National Prison Association*, 1919, 200, quoted in Mancini, 2-3.

<sup>61</sup> Caster, 50.

<sup>62</sup> Mancini offers an empirical example of this concept in reverse when he describes how Arkansas Gov. George W. Donaghey pardoned 360 convicts in December 1912, reducing the number of convicts to what was needed on the state's prison farm. The move effectively ended convict leasing and did "through executive action what forty years of protests and duplicitous legislation had failed to do." Mancini, 128-130; "Governor to Free 360 Convicts To-Day [*sic*]: Donaghey of Arkansas Uses Pardoning Power as Blow at Long-Fought Lease System," December 17, 1912, Accessed April 12, 2012, <http://query.nytimes.com/gst/abstract.html?res=9402EFDB1E3AE633A25754C1A9649D946396D6CF>.

<sup>63</sup> Caster, 8; 214n11.

<sup>64</sup> Ibid., 8; 214n12.

<sup>65</sup> Caster, 10; 215n18.

<sup>66</sup> This way of defining criminals in the US persists to this day.

<sup>67</sup> The National Prison Association, both at its founding in 1870 and sixty years later when it reorganized as the American Prison Association, defined crime as "a violation of duties imposed by law, which inflicts injury upon others. Criminals are persons convicted of crime by competent courts." See Caster, 13; 216n27; 216n28.

<sup>68</sup> Ibid., 16.

<sup>69</sup> For recent discussions of the prison-industrial complex that have informed my thinking about and writing of this dissertation, see Angela Y. Davis, *Are Prisons Obsolete?* (New York: Seven Stories Press, 2003); Ruth Wilson Gilmore, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California* (Berkeley: University of California Press, 2007); Eric Schlosser, "The Prison-Industrial Complex," *The Atlantic Monthly*, vol. 282, no. 6 (December 1998), Accessed April 12, 2012, <http://www.theatlantic.com/magazine/archive/1998/12/the-prison-industrial-complex/4669/>.

<sup>70</sup> Mancini, 208.

<sup>71</sup> Caster, 21.

<sup>72</sup> Simmons, 103-104.

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<sup>73</sup> Charles W. Chesnutt, *The Colonel's Dream* (1905; Upper Saddle River, NJ: the Gregg Press, 1968).

<sup>74</sup> Tillman often gets noted here both for his enflamed rhetorical style and the fact that he, like McBane, was missing an eye. Southern historian Francis B. Simkins wrote his dissertation about Tillman and produced a biography about the former South Carolina governor and U.S. Senator. One major difference among many between McBane and Tillman worth noting is that while McBane was hoping to parlay his involvement in the white supremacist movement into closer ties to elite southern whites, Tillman, as Stephen Kantrowitz (who has written more recently on Tillman's career) argues, launched his fiercest attacks on some of these same "Redeemer" Democrats and "Bourbons" who "stood by while the bulk of white southerners slid into dependence on corporate interests and moneyed northern capitalists." For information about Dowling's involvement in the "Wilmington Revolution," see Harry Hayden, "1898 Wilmington Race Riot," *1898 Wilmington: Debunking the Myths*, accessed 16 March 2011, <http://1898wilmington.com/hayden.shtml>. For Tillman's relationship to the North Carolina "no Negro domination" and white supremacy campaigns deployed by the Democratic Party, see Kantrowitz. "The Two Faces of Domination in North Carolina, 1800-1898, in Cecelski and Tyson, 95-111; In addition to Kantrowitz's biography of Tillman cited above, for fuller accounts of Tillman's life and political career, Francis B. Simkins, *Pitchfork Ben Tillman, South Carolina* (Baton Rouge, La.: Louisiana University Press, 1944); Francis B. Simkins, *The Tillman Movement in South Carolina* (PhD diss. Columbia University, 1926).

<sup>75</sup> Friedman: 50.

<sup>76</sup> Ibid.: 51.

<sup>77</sup> *I Am a Fugitive from a Chain Gang*. Dir. LeRoy, Mervyn. Perfs. Paul Muni, Glenda Farrell, et al. Warner Home Video. 1932. 2005. 1 videodisc (92 min.); sd., b&w; 4 ¾ in.

<sup>78</sup> Leon F. Litwack, *Trouble in Mind: Black Southerners in the Age of Jim Crow* (New York: Alfred A. Knopf, Inc., 1999), 15.

<sup>79</sup> Stephen P. Knadler, "Untragic Mulatto: Charles Chesnutt and the Discourse of Whiteness," *American Literary History* 8, no. 3 (Autumn 1996): 432. Please note that Knadler is working from a different edition of the novel, so his pagination differs. He cites p. 49.

<sup>80</sup> Knadler: 432.

<sup>81</sup> Lichtenstein, 29.

<sup>82</sup> Drawing on the classic work of Omi and Winant and Ian F. Haney López on the social and legal construction of race, philosopher Mills outlines the constructivist argument about race that asserts that there are no "natural" racial divisions among human groups "but rather a continuous spectrum of varying morphological traits. That the lines of demarcation, the categorical boundaries, are drawn here rather than there is a social decision, and one that creates the (social) reality in question. So the resultingly racialized world is in part theory-dependent, constituted by these very beliefs." See Charles W. Mills, *Blackness Visible: Essays on Philosophy and Race*, (London; Ithaca: Cornell University Press, 1998), 47-48; Michael Omi and Howard Winant, *Racial Formation in the United States: From the 1960s to the 1980s* (New York: Routledge, 1994); Ian F.

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Haney López, *White by Law: The Legal Construction of Race* (New York: New York University Press, 1996).

<sup>83</sup> Edward L. Ayers, *The Promise of the New South: Life After Reconstruction*, 15<sup>th</sup> Anniversary Edition, (1992; Oxford: Oxford University Press, 2007), 137.

<sup>84</sup> Ayers goes into considerable detail on the way in which the railroads became “contested terrain” and resulted in disputes that would eventually result in a system of separate and putatively equal cars and services. *Ibid.*, 137-149.

<sup>85</sup> See Ariela J. Gross, “Litigating Whiteness: Trials of Racial Determination in the Nineteenth-Century South,” *Yale Law Journal* 109 (1998-1999): 109-188; Walter Johnson, “The Slave Trader, The White Slave, and the Politics of Racial Determination in 1850s,” *The Journal of American History* 87, no. 1 (June 2000): 13-38.

<sup>86</sup> Bryan Wagner attributes these comments to McBane, which could have altered my reading of the scene. However, Chesnutt writes that they come from “the gentleman first described.” A few paragraphs earlier, Chesnutt describes “the man who entered first” in terms that clearly identify him as Belmont. He then greets McBane as “the second visitor” to his office. Wagner: 326-328.

<sup>87</sup> *Ibid.*, 312.

<sup>88</sup> *Ibid.*, 316-317.

<sup>89</sup> For a sampling of reviewers’ comments and responses by Chesnutt’s colleagues and friends, see William L. Andrews, *The Literary Career of Charles W. Chesnutt* (Baton Rouge; London: Louisiana State University Press, 1980), 203-205; Knadler: 430-431. For a compelling discussion of Katherine Glover’s review in the *Atlanta Journal* in which she suggested that a picture of Chesnutt should have accompanied the novel so the reader could determine his race, see Simmons, 107.

<sup>90</sup> Andrews, 208.

<sup>91</sup> See Matthew Wilson, *Whiteness in the Novels of Charles W. Chesnutt* (Jackson: University Press of Mississippi, 2004); Dean McWilliams, *Charles Chesnutt and the Fictions of Race* (Athens: University of Georgia Press, 2002); Brodhead, 177-210.

<sup>92</sup> Andrews, 207.

<sup>93</sup> Roe, 242.

<sup>94</sup> *Ibid.*, 242.

## Chapter Two

<sup>1</sup> A heliograph is a device that uses light, often sunlight, to transmit a message, usually via Morse code. Heliographs also were used in heliography, an early nineteenth century process that resulted in the first permanent images and relied on a photochemical process. Heliography lies on an evolutionary timeline in image-making between lithography and the daguerreotype. See Helmut Gernsheim, “The 150<sup>th</sup> Anniversary of Photography,” *History of Photography* 1, no. 1 (January, 1977), quoted in “The First Photograph: Heliograph,” Harry Ransom Center, University of Texas at Austin, accessed February 4, 2011, <http://www.hrc.utexas.edu/exhibitions/permanent/wfp/heliography.html>. For a discussion of efforts to preserve and promote the practice of heliography, see James Riddle, *Heliography (Communicating with Mirrors)*, accessed February 4, 2011, <http://myweb.cableone.net/kd7aoi/index.htm>.

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<sup>2</sup> Unless otherwise noted, pagination comes from Robert Penn Warren, *All the King's Men*, 2<sup>nd</sup> ed. (1946; New York: Harcourt-Harvest, 1996).

<sup>3</sup> See Forrest G. Robinson. "A Combat with the Past: Robert Penn Warren on Race and Slavery." *American Literature* 67, no. 3 (September 1995): 511-530. Mark Szalay also challenges Robinson's reading of this scene, claiming that even if Burden is ignorant of the South's race problem Warren certainly is not. Mark Szalay. "*All the King's Men*; or, the Primal Crime." *The Yale Journal of Criticism* 15, no. 2 (2002): 345-370. Specifically, see 366-367.

<sup>4</sup> In one of those comments cited in so many different contexts that it's hard to really get at its full meaning or its intent, William Faulkner commenting on *AKM* remarked that the "Cass Mastern story is a beautiful and moving piece. That was his novel. The rest of it I would throw away." Joseph Blotner, *William Faulkner*, vol. 2 (New York: Random House, 1974), 1214, quoted in Richard H. King, *A Southern Renaissance: The Cultural Awakening of the American South, 1930-1955* (New York: Oxford University Press, 1980), 233.

<sup>5</sup> James A. Perkins has recently provided a thorough and fascinating discussion of the afterlife of the Cass Mastern's story, which is covered mainly in the fourth chapter of the novel, as a play. *AKM* has an important connection to drama. The Cass Mastern material was originally developed during the writing of the verse play *Proud Flesh* (1937-40), continued during the writing of the novel (1943-46), the play *All the King's Men* (1947-48), the play *Willie Stark: His Rise and Fall* (1956-1958), and finally in the play *All the King's Men* (1959). Both film versions of *All the King's Men* (1949, 2006) omit the Cass Mastern story. James A. Perkins, *The Cass Mastern Material: The Core of Robert Penn Warren's All the King's Men* (Baton Rouge: Louisiana State University Press, 2005), 1-2; 15.

<sup>6</sup> Robinson, 512.

<sup>7</sup> *Ibid.*, 513. Cass Mastern was a Confederate Army casualty, slaveholder, and distant uncle of Burden's who becomes the subject of Burden's incomplete Ph.D. dissertation in American history. We learn near the novel's end that Cass Mastern is not actually a blood relative of Burden's as a result of Burden's true, biological paternity, but that seems to matter very little since the implications of Cass Mastern's story and presence in the novel relate more to southern culture and perceptions about family than they do actual history, genetics or genealogy anyway.

<sup>8</sup> Malcolm O. Sillars appears to be the first critic to come to Warren's aid and challenge the partly accurate supposition that Willie Stark and Huey Long are one and the same. About a decade after the publication of *All the King's Men*, Sillars catalogues a long list of demagogues who embodied the traits and mirrored the words and deeds of Warren's protagonist. I list them here purely out of an affinity for their colorful nicknames—or perhaps "real" names for all I know—as well as my kindred feelings for the state of Alabama: "Bloody Bridles Waite of Colorado, Sockless Jerry Simpson of Kansas, William Jennings Bryan of Nebraska, Alfalfa Bill Murray of Oklahoma, and Kissin' Jim Folsom of Alabama." Of course, Warren's novel dictates who would remain as the most famous of these demagogues and has for decades shaped the history and mythology of his legacy. See Malcolm O. Sillars, "Warren's *All the King's Men*: A Study in Populism," *American Quarterly* 9, no. 3 (Autumn, 1957): 345.



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<sup>9</sup> In 1947, a reviewer called Warren's novel "the latest addition to the growing Huey Long legend" and claimed of the main character, "Willie Stark's career as a big time southern demagogue parallels point by point that of the Louisiana King Fish." Charles H. Heimsath, "Saint and Devil," *Phylon* 8, no. 1, (1<sup>st</sup> Qtr., 1947): 95. And while critics ever since the novel's publication—and even Warren himself when he was living—have attempted to distance Stark's fictional story from Long's historical narrative, these attempts are never completely successful, since the simple facts of Warren's relationship to Louisiana during Long's reign, so to speak, remain. For more recent considerations of the relationship between *All the King's Men* and Huey Long's life story, see Keith Perry, *The Kingfish in Fiction: Huey P. Long and the Modern American Novel* (Baton Rouge: Louisiana State University Press, 2004), 178-222. For a discussion of Jack Burden's role as a narrator turned biographer in *All the King's Men*, see Jonathan S. Cullick, *Making History: The Biographical Narratives of Robert Penn Warren* (Baton Rouge, Louisiana University Press, 2000), 99-126. Although the historical nature of the novel is undeniable, critics through the years have successfully warned against reading the novel completely on these terms. Just for one example, see David Madden, *Touching the Web of Southern Novelists* (Knoxville: University of Tennessee Press, 2006), 31-40. I might also note here that I have intentionally left the term populist in the lower-case since, in historical terms, the Populists as a political party lost relevance after the 1896 election. However, many of its ideas, such as opposition to corporations and monopolies continued into the twentieth century. For a fuller discussion of the Populist movement, see Thomas Goebel, "The Political Economy of American Populism from Jackson to the New Deal," *Studies in American Political Development* 11 (Spring 1997): 109-148.

<sup>10</sup> Carl Freedman, "Power, Sexuality, and Race in *All the King's Men*," in *Southern Literature and Literary Theory*, edited by Jefferson Humphries (Athens: University of Georgia Press, 1992), 127.

<sup>11</sup> Howard Woodell, *All the King's Men: The Search for a Usable Past* (New York: Twayne Publishers, 1993), 4.

<sup>12</sup> Cushing Strout, *The Veracious Imagination: Essays on American History, Literature, and Biography* (Middletown, Conn.: Wesleyan University Press, 1981), 104.

<sup>13</sup> Several book-length studies of Warren exist and most, if not all, of them are cited in this chapter or mentioned in notes. In terms of a biography, though, Joseph Blotner's has emerged as the most definitive. Blotner is also considered Faulkner's primary biographer. Joseph Blotner, *Robert Penn Warren: A Biography* (New York: Random House, 1997).

<sup>14</sup> John Burt, *Robert Penn Warren and American Idealism* (New Haven: Yale University Press, 1988); William Bedford Clark, *The American Vision of Robert Penn Warren* (Lexington: University of Kentucky Press, 1991); Hugh Ruppersburg, *Robert Penn Warren and the American Imagination* (Athens: University of Georgia Press, 1990).

<sup>15</sup> Lichtenstein, 160.

<sup>16</sup> *Ibid.*, 152-185.

<sup>17</sup> In many ways, the collective failure to see the negative effects of this new, political and legal system when it was implemented foreshadows contemporary concerns raised by critics who study penology and prisons. For example, Ruth Gilmore has recently argued that California's massive prison-building operation is the result of multiple converging surpluses: poor men of color in the state's large cities who become criminalized, a desire

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for and political motivation to provide rural jobs, and vast expanses of cheap land in the state's rural areas. Ruth Wilson Gilmore, *Golden Gulag: Prisons, Surplus, Crisis and Opposition in Globalizing California* (Berkeley: University of California Press, 2007).

<sup>18</sup> Lichtenstein, 165. The original intent of the Good Roads Movement was to provide farm-to-market roads and improve access to education, southern progressive agenda items designed to benefit both blacks and whites in rural areas. See Howard L. Preston, *Dirt Roads to Dixie: Accessibility and Modernization in the South, 1885-1935* (Knoxville: University of Tennessee Press, 1991).

<sup>19</sup> Lichtenstein, 167.

<sup>20</sup> E. Stagg Whitin, "The Spirit of Convict Road-Building," *Southern Good Roads* 6 (December 1912), 12-13, quoted in Lichtenstein, 167-168.

<sup>21</sup> Lichtenstein, 168.

<sup>22</sup> Preston, 18.

<sup>23</sup> *Ibid.*, 19.

<sup>24</sup> Not working on the roads resulted in a small fine and some states, such as Tennessee, allowed citizens to send a substitute. Most citizens never worked a single day on the roads, choosing to pay the small fine or "to enlist the assistance of a local politician who had the power to grant a permanent exemption from the requirement. Those who, on the other hand, complied with the law and performed road work each year, commonly observed the few days away from their normal chores as a holiday." *Ibid.*, 20-21.

<sup>25</sup> Mancini, 142.

<sup>26</sup> Mancini, 142-143; Lichtenstein, 167.

<sup>27</sup> Lichtenstein, 168-169.

<sup>28</sup> *Ibid.*, 169.

<sup>29</sup> League of American Wheelman, "Convict Labor Laws and Highway Interests," *Good Roads Magazine* 8 (December 1907), E.L. Powers Co., 1907, Google Books, accessed February 7, 2011, 412-414, [http://books.google.com/books?id=OnglAAAAMAAJ&pg=PR2&dq=League+of+American+Wheelman,+\"Convict+Labor+Laws+and+Highway+Interests,\"+Good+Roads+Magazine+8+\(Dec+1907\),+E.L.+Powers+Co.,+1907&hl=en&sa=X&ei=NJuHT4LmD-LY0QGVneDeCA&ved=0CDQQ6AEwAA#v=onepage&q=convict%20labor%20laws%20and%20highway%20interests&f=false](http://books.google.com/books?id=OnglAAAAMAAJ&pg=PR2&dq=League+of+American+Wheelman,+\).

<sup>30</sup> Lichtenstein, 161.

<sup>31</sup> J.A. Holmes to Martin Dodge, 21 August 1901, Folder 8, Box 9, North Carolina Geological Survey Papers, Southern Historical Collection (UNC), quoted in Lichtenstein, 161-162.

<sup>32</sup> See Preston, 11-38, 41-46, 115-117.

<sup>33</sup> For a contemporary look at the Louisiana State Penitentiary, see *The Farm: Life Inside Angola Prisons*, directed by Jonathan Stack and Liz Garbus, New York: Highest Common Denominator Media Group, 1998. For an invaluable discussion of *The Farm*, see Peter Caster, *Prisons, Race, and Masculinity in Twentieth-Century U.S. Literature and Film* (Columbus: The Ohio State University Press, 2008), 151-172.

<sup>34</sup> "Chiropractor Asks Reprieve from Sentence," *Times-Picayune* (New Orleans, LA), Feb. 2, 1929, 14. I am grateful to Marianne Fisher-Giorlando for sharing this item with me.

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<sup>35</sup> “Board Approves Use of Convicts on Farm Roads,” *The Times-Picayune* (New Orleans, LA), July 31, 1931, 7. I am grateful to Marianne Fisher-Giorlando for sharing this item with me.

<sup>36</sup> Information about use of Angola prisoners taking care of children in the Governor’s Mansion provided by Michael Wynne of the Louisiana Department of Corrections and the Angola Museum, telephone conversation, 30 November 2010.

<sup>37</sup> T. Harry Williams, *Huey Long* (New York: Alfred A. Knopf, 1969), 546-547. There have been more recent and other very good biographies of Long but Williams’ appears to remain as the most definitive. William Ivey Hair, *The Kingfish and His Realm: The Life and Times of Huey P. Long* (Baton Rouge: Louisiana State University Press, 1991); Richard D. White, *Kingfish: The Reign of Huey P. Long* (New York: Random House, 2006).

<sup>38</sup> Perry, 206.

<sup>39</sup> Huey P. Long, *Every Man a King: The Autobiography of Huey P. Long* (1933; New York: Da Capo Press, 1996), np. The photographs are inserted between pages 280 and 281. The fact that they are not paginated suggests they were added by an editor and perhaps suggested by Long’s biographer T. Harry Williams, who provides the Introduction to this addition. Of course, this is merely speculation.

<sup>40</sup> Williams, 546-547; “Continued State Road Building by Prisoners Urged: Club Organized to Push Desire of Farmers for Convict Labor,” *The Times-Picayune*, October 12, 1932: 21; “Board Approves Use of Convicts on Farm Roads: Projects Totalling nearly \$200,000 Scheduled in Four Parishes,” *The Times-Picayune*, July 31, 1931: 7. Again, I am indebted to criminologist Marianne Fisher-Giorlando for finding these items and passing them along to me.

<sup>41</sup> Toni Morrison, *Playing in the Dark: Whiteness and the Literary Imagination* (1992; New York: Random House-Vintage Books, 1993), 5.

<sup>42</sup> For discussions of the history, mechanics, and nature of disenfranchisement in the South between Reconstruction and WWI, see Michael Perman, *Struggle for Mastery: Disfranchisement in the South, 1888-1908* (Chapel Hill: University of North Carolina Press, 2001); Glenn Feldman, *The Disfranchisement Myth: Poor Whites and Suffrage Restriction in Alabama* (Athens: University of Georgia Press, 2004). For a useful look at the role of race in the political process around the time when *All the King’s Men* is set, see Glenda Elizabeth Gilmore, “False Friends and Avowed Enemies: Southern African Americans and Party Allegiances in the 1920s,” in *Jumpin’ Jim Crow: Southern Politics from Civil War to Civil Rights*, edited by Jane Dailey, Glenda Elizabeth Gilmore and Bryant Simon (Princeton: Princeton University Press, 2000), 219-238.

<sup>43</sup> Joseph Blotner, *Robert Penn Warren: A Biography* (New York: Random House, 1997), 102.

<sup>44</sup> Robert Penn Warren, *Who Speaks for the Negro?* (New York: Random House, 1965), 320.

<sup>45</sup> Burt, 17.

<sup>46</sup> For a detailed chronology of Warren’s personal and professional life, see Blotner, xi-xv.

<sup>47</sup> *Ibid.*, 84.

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<sup>48</sup> Anthony Szczesiul provides a useful model for this approach. Although Szczesiul foregrounds Warren's poetry, he rereads and uses Warren's essays, commentaries, and fiction to provide context for his arguments about the poetry, a move that ultimately sheds additional light on Warren's whole career. Likewise, James A. Perkins has even argued that Warren's 10-year hiatus from poetry during the 1940s—which has typically been attributed to the success of his fiction and changes in his family—may actually have come to an end as a result of Warren's reporting for and writing of *Segregation: The Inner Conflict in the South* (1956). Karen Ramsay Johnson looks at these same texts from a more linguistic and literary angle. Johnson argues that Warren's use of conversation or the dialogue form in "The Briar Patch," *Segregation*, and *Who Speaks for the Negro?* is guided by three related themes in the texts: "identity formation and its connection to the social context," language, and the ability of "the dialogic structure" to open up "both the exchange between Warren and his various conversational partners and between the personal and the public voices of them all." Anthony Szczesiul, *Racial Politics and Robert Penn Warren's Poetry* (Gainesville: University Press of Florida, 2002); Karen Ramsay Johnson, "'Voices in My Own Blood': The Dialogic Impulse in Warren's Non-Fiction Writings about Race," *Mississippi Quarterly* 52, no. 1 (Winter 1998/1999): 33; Michael Kreyling, "Robert Penn Warren: The Real Southerner and the 'Hypothetical Negro,'" *American Literary History* 21, no. 2 (Summer 2009): 268. The essay also appears as a chapter in Kreyling's book on southern memory *The South that Wasn't There: Postsouthern Memory and History* (Baton Rouge: Louisiana State University Press, 2010), 49-75; James A. Perkins, "Racism and the Personal Past in Robert Penn Warren," *Mississippi Quarterly* 48, no. 1, Special Issue: Robert Penn Warren (Winter, 1994): 73-83; Robert Penn Warren, *Who Speaks for the Negro?* (New York: Random House, 1965).

<sup>49</sup> Robert Penn Warren, "The Briar Patch," in *Twelve Southerners, I'll Take My Stand: The South and the Agrarian Tradition* (1930; New York: Peter Smith, 1951), 246-264. For additional information about the Agrarians as a group, including the importance of *I'll Take My Stand*, see Emily S. Bingham and Thomas A. Underwood, eds., *The Southern Agrarians and the New Deal: Essays after I'll Take My Stand* (Charlottesville: University of Virginia, 2001); Paul V. Murphy, *The Rebuke of History: The Southern Agrarians and American Conservative Thought* (Chapel Hill: University of North Carolina Press, 2000); Charlotte H. Beck, *The Fugitive Legacy: A Critical History* (Baton Rouge: Louisiana State University Press, 2000); Paul Keith Conkin, *The Southern Agrarians*, (1988; Nashville: Vanderbilt University Press, 2001). In addition to those previously cited, see John Burt, "Robert Penn Warren's *The Legacy of the Civil War* and the Meaning of Pragmatism," *American Literary History* 19, no. 4 (2007): 964-996.

<sup>50</sup> Fred C. Hobson, *But Now I See: The White Southern Racial Conversion Narrative* (Baton Rouge: Louisiana State University Press, 1999), accessed Jan. 25, 2011, NetLibrary e-book Kreyling, *ALH*: 268-295. See also David A. Davis, "Climbing out of 'The Briar Patch': Robert Penn Warren and the Divided Conscience of Segregation," *Southern Quarterly* 40, no. 1 (Fall 2001): 109-120.

<sup>51</sup> More accurately, perhaps, "The Briar Patch" could be read as Warren's earliest—and most fraught—attempt to "find a place" for himself among the ideological divisions that rigidly stratified the South prior to the Civil Rights Movement. Responding to a question

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in an interview with Ralph Ellison published in 1957, Warren says, “My essay in *I’ll Take My Stand* was about the Negro in the South, and it was a defense of segregation. I haven’t read that piece, as far as I can remember, since 1930, and I’m not sure exactly how things are put there. But I do recall very distinctly the circumstances of writing it. I wrote it at Oxford at about the same time I began writing fiction, the two things were tied together—the look back home from a long distance. I remember the jangle and wrangle of writing the essay and some kind of discomfort in it, some sense of evasion, I guess, in writing it ... In the essay I reckon I was trying to prove something, trying to find something out, see something, feel something—exist.” Ralph Ellison and Eugene Walter, “Warren on the Art of Fiction,” in *Talking with Robert Penn Warren*, edited by Floyd C. Watkins et al. (Athens: University of Georgia Press, 1990), 33.

<sup>52</sup> Hobson, 1-2.

<sup>53</sup> Kreyling, *ALH*: 268.

<sup>54</sup> Richard H. King argues *Brown* forced southerners like Warren to acknowledge racism in the face of the legal abolition of segregation. Richard H. King, *A Southern Renaissance: The Cultural Awakening of the American South, 1930-1955* (New York: Oxford University Press, 1980), 283-285.

<sup>55</sup> Not surprisingly, given the universalizing effect that *All the King’s Men* has, Warren resurrects elements of the novel’s opening as an establishing shot for his trek south, describing Highway 61 “striking south from Memphis, straight as a knife edge through the sad and baleful beauty of the Delta country.” Sounding more and more like his old friend Jack Burden, Warren writes, “It seems like a thousand years since I first drove that road, more than twenty-five years ago, a new concrete slab then, dizzily glittering in the August sun-blaze, driving past the rows of tenant shacks, Negro shacks set in the infinite cotton fields ...” Warren, *Segregation*, 4.

<sup>56</sup> Ralph Ellison and Eugene Walter, “Warren on the Art of Fiction,” in *Talking with Robert Penn Warren*, ed. Floyd C. Watkins et al. (Athens: University of Georgia Press, 1990), 33.

<sup>57</sup> Such a situation is like someone who buys something “Made in China” without considering the conditions under which the Chinese worker manufactured it. I am grateful to Josh Olivier-Mason for pointing out this comparison to me.

<sup>58</sup> Warren, *Who Speaks*, “Foreword,” np.

<sup>59</sup> *Ibid.*, 3.

<sup>60</sup> *Ibid.*, 3.

<sup>61</sup> *Ibid.*, 4.

<sup>62</sup> For recent discussion of voting and criminality, see Karen Juanita Carillo, “Maine State Prison Branch Registers Inmates,” *The Crisis*, Special Issue: The 100<sup>th</sup> Anniversary of the NAACP 116, no. 1 (2009): 48; Solomon Moore, “States Restore Voting Rights for Ex-Convicts,” *New York Times*, September 13, 2008, accessed January 31, 2011, <http://www.nytimes.com/2008/09/14/us/politics/14felony.html?pagewanted=all>; The sentencing project’s web site offers frequent updates about the controversy and developments related to voting rights and ex-convicts. See “The Sentencing Project News—Voting Rights,” *The Sentencing Project*, accessed January 31, 2011, <http://www.sentencingproject.org/template/page.cfm?id=133>

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<sup>63</sup> In his work, Peter Caster has emphasized the importance of understanding the definition of a crime as something injurious and the definition of a criminal not as someone who performs that injurious act but rather as a person who has been “determined by ‘competent courts’” to have committed a crime and crossed over into a state of criminality. This specific, process-based way of framing crime, criminals, and criminality is of particular importance in the context of the so-called Black Codes that were implemented immediately after the Civil War. These codes—and various reiterations of them over the following decades—resulted in “crimes” such as “vagrancy” that fueled convict leasing markets and subsequent public works chain gangs. See Theodore B. Wilson, *Black Codes of the South* (Tuscaloosa: University of Alabama Press, 1965); William Cohen on “vagrancy roundups” in *At Freedom’s Edge* (Louisiana State University Press, 1991), 243-245; Leon F. Litwack, *Trouble in Mind* (New York: Knopf, 1998), 15; Blackmon; Lichtenstein; Mancini; Oshinsky.

<sup>64</sup> Initially I had read the text as saying that the laborers were doing something at the courthouse, a minor or incidental task. Josh Olivier-Mason, whose reading I have obviously embraced, pointed out that the convicts were working in the courthouse as a result of doing something, or “somethen,” in their hometowns that led to conviction.

<sup>65</sup> Cullick, 99-126.

<sup>66</sup> Ibid., 101.

<sup>67</sup> Perry, 206.

<sup>68</sup> Long argued that rain that fell the night before and on Election Day washed-out the state’s roads and kept his supporters in rural areas away from polling places. Williams challenges this logic in his biography of Long. See Williams, 212.

<sup>69</sup> Here I am following the example of Joseph R. Millichap. Millichap looks at “the complex, often ambivalent relation and resonance among technology, culture, and literature as represented by railroads” in the work of several writers, including Warren. As discussed elsewhere, convict labor was also extensively used during the era of leasing in railroad construction—usually for the most dangerous and most arduous tasks of blasting and digging rail beds. Joseph R. Millichap, *Dixie Limited: Railroads, Culture, and the Southern Renaissance* (Lexington: The University Press of Kentucky, 2002), viii-ix; 100-123.

<sup>70</sup> Marshall Walker, *Robert Penn Warren: A Vision Earned* (New York: Barnes & Noble, 1979), 100-101.

<sup>71</sup> Caster, for example, does this very well and couples it with a very useful military metaphor about how southern whites who found themselves in the political minority after the Civil War in most states used the justice system to “defeat in detail” the large population of blacks, mainly black men, in their midst. Caster, 49-50. On the history of prisons and approaches to crime and surveillance, see Michel Foucault, *Discipline and Punish: The History of Prisons*, Trans. Alan Sheridan, 2<sup>nd</sup> Vintage Books Edition (1976; New York: Random House-Vintage Books, 1995).

<sup>72</sup> Lichtenstein, xvi.

<sup>73</sup> Woodell, 9.

### Chapter Three

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<sup>1</sup> Philip Hanson, *This Side of Despair: How the Movies and American Life Intersected during the Great Depression* (Cranbury, NJ: Associated University Presses, 2008), 9.

<sup>2</sup> “The Chain Gang,” directed by Ub Iwerks, in *Walt Disney Treasures: Mickey Mouse in Black and White* (1930; Walt Disney Video, 2002), DVD; *Hell’s Highway*, directed by Rowland Brown (RKO Radio Pictures, 1932); *Laughter in Hell*, directed by Edward L. Cahn (Universal Pictures, 1933); *Road Gang*, directed by Louis King (Warner Bros., 1936); *Blackmail*, directed by H.C. Potter (Loew’s and MGM, 1939); *Dust Be My Destiny*, directed by Lewis Seiler (Warner Bros., 1939).

<sup>3</sup> Allison Graham, *Framing the South: Hollywood, Television, and Race during the Civil Rights Struggle* (Baltimore: Johns Hopkins University Press, 2001); *The Defiant Ones*, directed by Stanley Kramer (1958; Twentieth Century Fox Home Entertainment, 2007), DVD. The second half of this dissertation mirrors this trajectory and then extends it by pairing the Coen Brothers’ *O Brother, Where Art Thou?* (2000) with Sturges’s film, since the former is clearly an homage and in some ways a loosely based sequel of the latter. *O Brother, Where Art Thou?*, directed by Joel Coen and Ethan Coen (2000; Burbank, CA: Touchstone Home Video, 2001), DVD; *Sullivan’s Travels*, directed by Preston Sturges (1941; Criterion Collection, 2001), DVD.

<sup>4</sup> Contemporary versions of this genre include *48 Hours*, the *Men in Black* films, and the *Lethal Weapon* series. Brian Locke, *Racial Stigma on the Hollywood Screen from World War II to the Present: The Orientalist Buddy Film* (New York: Palgrave MacMillan, 2009); Melvin Donalson, *Masculinity in the Interracial Buddy Film* (Jefferson, NC: McFarland & Company, 2006); Hernán Vera and Andrew M. Gordon, *Screen Saviors: Hollywood Fictions of Whiteness* (Lanham, MD: Rowman & Littlefield Publishers, 2003).

<sup>5</sup> James Baldwin, *The Devil Finds Work: An Essay* (New York: Dial Press, 1976), 62.

<sup>6</sup> Donalson, 32.

<sup>7</sup> *Ibid.*, 34.

<sup>8</sup> Zoe Trodd, ed., *American Protest Literature* (Cambridge: The Belknap Press of Harvard University Press, 2006), 122.

<sup>9</sup> In fact, as Leigh Anne Duck argues, films like *I Am a Fugitive from a Chain Gang* (1932) had presented African Americans as “a model of American unfreedom—residents to whom the nation’s promise of mobility and fulfillment in labor do not apply.” In *Fugitive*, black convicts on the chain gang, who suffer the same abuses as the film’s white protagonist, manage to appear “relatively well adjusted to their circumstances.” Leigh Anne Duck, “Bodies and Expectations: Chain Gang Discipline,” in *American Cinema and the Southern Imaginery*, edited by Deborah E. Barker and Kathryn McKee (Athens: University of Georgia Press, 2011), 79, 84.

<sup>10</sup> As I discussed at length earlier, in 1995 Alabama (for mostly symbolic reasons) reinstituted chain gangs and other states followed suit, including Arizona, which still uses them.

<sup>11</sup> Thomas Doherty, *Pre-Code Hollywood: Sex, Immorality, and Insurrection in American Cinema, 1930-1934* (New York: Columbia University Press, 1999), 161.

<sup>12</sup> *I Am a Fugitive from a Chain Gang*, directed by Mervyn LeRoy (1932; Burbank, CA: Warner Home Video, 2005), DVD. James Roman, *Bigger than Blockbusters: Movies That Defined America* (Westport, CT: Greenwood Press, 2009), 21.

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<sup>13</sup> It has been suggested that Burns did not actually write this memoir. Rather, the author is his brother the Rev. Vincent Burns, who used the pseudonym Robert Elliott Burns for the first person accounts. Robert L. Hilliard, *Hollywood Speaks Out: Pictures that Dared to Protest Real World Issues* (Malden, MA: Wiley-Blackwell, 2009), 67-68.

<sup>14</sup> Peter Roffman, and Jim Purdy, *The Hollywood Social Problem Film: Madness, Despair and Politics from the Depression to the Fifties* (Bloomington: Indiana University Press, 1981), 29-30.

<sup>15</sup> Heather Ann Thompson, "Blinded by a 'Barbaric' South: Prison Horrors, Inmate Abuse, and Ironic History of American Penal Reform," in *The Myth of Southern Exceptionalism*, edited by Matthew D. Lassiter and Joseph Crespino (Oxford: Oxford University Press, 2010), 80.

<sup>16</sup> Allison Graham, *Framing the South: Hollywood, Television, and Race during the Civil Rights Struggle* (Baltimore: Johns Hopkins University Press, 2001), 177-178.

<sup>17</sup> Locke; Donalson; Hernán Vera and Andrew M. Gordon.

<sup>18</sup> Larry Langman and David Ebner, eds., *Hollywood's Image of the South: A Century of Southern Films*, Bibliographies and Indexes in the Performing Arts, No. 25 (Westport, Conn.: Greenwood Press, 1993), 164.

<sup>19</sup> "Chain Plays Role Poitier's Latest," *Daily Defender* (Daily Edition), Aug. 6, 1958, accessed June 6, 2011, <http://proquest.umi.com.proxy.bc.edu/pqdweb?index=37&did=882648222&SrchMode=1&sid=6&Fmt=10&VInst=PROD&VType=PQD&RQT=309&VName=HNP&TS=1306945980&clientId=7750>.

<sup>20</sup> Sidney Poitier, *The Measure of a Man: A Spiritual Autobiography* (San Francisco: Harper San Francisco, 2000), 103.

<sup>21</sup> "Chain Plays Role Poitier's Latest"

<sup>22</sup> Marianna Torgovnick, *The War Complex: World War II in Our Time* (Chicago: University of Chicago Press, 2005), xi.

<sup>23</sup> Aram Goudsouzian, *Sidney Poitier: Man, Actor, Icon* (Chapel Hill: The University of North Carolina Press, 2004), 3.

<sup>24</sup> *Ibid.*, 3-4.

<sup>25</sup> Vera and Gordon, 155.

<sup>26</sup> *The Defiant Ones*, United Artists Pressbook, African-Americans In Film: Collection Of Press Books, Campaign Books, Advertising Manuals, Etc., Rare Book, Manuscript, and Special Collections Library, Duke University. I would like to thank Kathy Newman for telling me about this item and where to find it as well as Duke librarian Margaret Brill and the staff of the David M. Rubenstein Rare Book and Manuscript Library for their assistance in allowing me access to the document.

<sup>27</sup> "Chicagoan to Reign as Queen for World Premier [sic] of Picture," *Daily Defender* (Daily Edition), July 16, 1958, accessed May 31, 2011, <http://proquest.umi.com.proxy.bc.edu/pqdweb?index=2&did=878944462&SrchMode=2&sid=3&Fmt=10&VInst=PROD&VType=PQD&RQT=309&VName=HNP&TS=1306866777&clientId=7750>.

<sup>28</sup> UA's campaign included stunts bizarre even by today's guerilla advertising standards. Under the heading "Beauties in Shorts," the press book recounts one stunt in which an arrangement was made "with four pretty young women" hired to walk down busy streets



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in towns near theatres where the film was playing. According to the press book, the women carried signs that read: "Who wears shorts?" "THE DEFIANT ONES."

<sup>29</sup> "Chain Plays Role Poitier's Latest"; "'The Defiant Ones' World Premiere Here," *Chicago Daily Tribune*, Aug. 10, 1958, accessed June 1, 2011, <http://proquest.umi.com.proxy.bc.edu/pqdweb?index=6&did=569067032&SrchMode=2&sid=2&Fmt=10&VInst=PROD&VType=PQD&RQT=309&VName=HNP&TS=1306944706&clientId=7750>.

<sup>30</sup> "Actors Linked by \$1,280 Chain in 'Defiant Ones,' *Jet* 14 (15), Aug. 14, 1958, 65, accessed June 1, 2011, Google Books; According to the DollarTimes Inflation Calculator, "\$1,280 had the same buying power as \$9,878.49 in 2011. Annual inflation over this period was 3.93%." "Inflation Calculator: The Changing Value of a Dollar," *DollarTimes*, HBrothers 2007-2010, accessed June 1, 2011, <http://www.dollartimes.com/calculators/inflation.htm>.

<sup>31</sup> On a list of top U.S. grossing films released in 1958, *The Defiant Ones* came in at number of 58—just inside the top quarter of all the year's films. According to the *New York Times*, the number of films made during that year was 216, down 81 from 1957. "Top-US-Grossing Feature Films Released in 1958," The Internet Movie Database (IMDb), IMDb.com, Inc., 2011, accessed June 1, 2011, [http://www.imdb.com/search/title?sort=boxoffice\\_gross\\_us,desc&start=1&title\\_type=feature&year=1958,1958](http://www.imdb.com/search/title?sort=boxoffice_gross_us,desc&start=1&title_type=feature&year=1958,1958); Thomas H. Pryor, "Hollywood Review: Year's Problems Faced by Hopeful Industry," Jan. 4, 1959, accessed June 1, 2011, <http://proquest.umi.com.proxy.bc.edu/pqdweb?index=0&did=89103401&SrchMode=1&sid=8&Fmt=10&VInst=PROD&VType=PQD&RQT=309&VName=HNP&TS=1306981434&clientId=7750>. Perhaps more noteworthy for our purposes in terms of critical reception is the film's nine Oscar nominations, garnering two—best screenplay written directly for the screen and best cinematography, black-and-white. "Academy Awards, USA," "Awards for 1959," accessed July 6, 2011, <http://www.imdb.com/event/ev0000003/1959>.

<sup>32</sup> Paul P. Kennedy, "Film on Racial Amity Overcomes Hatred of U.S. at Mexican Fete," October 20, 1958, accessed June 1, 2011, <http://proquest.umi.com.proxy.bc.edu/pqdweb?index=1&did=92652363&SrchMode=2&sid=1&Fmt=10&VInst=PROD&VType=PQD&RQT=309&VName=HNP&TS=1306977223&clientId=7750>.

<sup>33</sup> Bosley Crowther, "Screen: A Forceful Drama," Sept. 25, 1958, accessed June 1, 2011, <http://proquest.umi.com.proxy.bc.edu/pqdweb?index=1&did=81929792&SrchMode=1&sid=1&Fmt=10&VInst=PROD&VType=PQD&RQT=309&VName=HNP&TS=1306961031&clientId=7750>.

<sup>34</sup> "Movie of the Week: The Defiant Ones," *Jet* 14 (16), Aug. 21, 1958, 65, accessed June 4, 2011, Google Books.

<sup>35</sup> "Ala. Police Stop Showing of 'Defiant Ones,'" *Jet* 16 (9), Sept. 3, 1959, 65, accessed June 4, 2011, Google Books.

<sup>36</sup> Goudsouzian, 156.

<sup>37</sup> Poitier, 104.

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<sup>38</sup> George Stevens, Jr., ed., *Conversations with the Great Moviemakers of Hollywood's Golden Age at the American Film Institute*, "Stanley Kramer: March 14, 1973" (New York: Alfred A. Knopf, 2006), 563.

<sup>39</sup> Blackmon, 405.

<sup>40</sup> Baldwin, 61.

<sup>41</sup> Goudsouzian, 152.

<sup>42</sup> Stanley Kramer with Thomas M. Coffey, *It's a Mad, Mad, Mad, Mad World: A Life in Hollywood* (New York: Harcourt Brace & Company, 1997), 149-150.

<sup>43</sup> Goudsouzian, 152.

<sup>44</sup> Baldwin, 61-62.

<sup>45</sup> *Ibid.*, 62.

<sup>46</sup> Worth mentioning here is a minor item from 1958 in Chicago's *Daily Defender*. Reporting on the initial box office success of *The Defiant Ones* at the Roosevelt Theatre, the influential black weekly newspaper summarizes the plot by explaining that the film "is the story of two convicts, one white, who break away from a chain gang." Of course, every other paper and the *Defender* in most of its own other reporting on the film pointed out that it features two convicts, one white and the other black or, in the parlance of the time, "Negro." So perhaps this is a mere typo or quick elision in the interest of column inches. However, it is worth noting that it reads too self-conscious for this. In all likelihood, the *Defender*, one of the most influential black newspapers of the twentieth century, is relying on its readers to assume that a convict on a chain gang would be black and a white convict on a chain gang would be an aberration. "'The Defiant Ones' Hits Boxoffice [*sic*] Jackpot for Third Consecutive Week," *Daily Defender*, Aug. 26, 1958, accessed June 3, 2011, <http://proquest.umi.com.proxy.bc.edu/pqdweb?index=79&did=883119822&SrchMode=1&sid=1&Fmt=10&VInst=PROD&VType=PQD&RQT=309&VName=HNP&TS=1307157469&clientId=7750>.

<sup>47</sup> Baldwin, 62.

<sup>48</sup> Poitier, 102.

<sup>49</sup> Citing Baldwin's criticism specifically, Kramer takes a mildly defensive and clearly frustrated tone in an interview in the late 1970s when he acknowledges his inability to "capture the soul of the black man. Well, who the hell does [Baldwin] think I am? I'm *not* black. The fact is that I am a white man who made films about human beings who happened to be black" (emphasis in original). Although Kramer defines the limitations of his subject position, he does not completely dismiss the value of the information at his disposal or the perspective he was able to provide in the making of the film. And in the end, he seems to claim a partial victory with regard to *The Defiant Ones* when he argues he "understood the problems of black men and women morally, socially and intellectually." However, in what is likely an unwitting reference to Poitier's hand in that climactic train scene, Kramer admits, "the damn soul kept slipping between my fingers." Stevens, 563.

<sup>50</sup> Hernán Vera and Andrew M. Gordon, *Screen Savors: Hollywood Fictions of Whiteness* (Lanham, MD: Rowman & Littlefield Publishers, 2003), 155. Although *The Defiant Ones* did win two Academy Awards (Original Screenplay and Cinematography), it should be noted that Vera and Gordon incorrectly report that the film won Oscars for

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Best Picture and Best Director (Stanley Kramer). However, both of those distinctions went to *Gigi* and its director Vincente Minnelli. Nonetheless, this factual error does not undercut Vera and Gordon's arguments related to genre, historical context, and precedent.

<sup>51</sup> Homer Hawkins and Richard Thomas, "White policing of black populations: a history of race and social control in America," in *Out of Order?: Policing Black People*, edited by Ellis Cashmore and Eugene McLaughlin (London; New York: Routledge, 1991), 65, 67.

<sup>52</sup> For what appears to be the only book-length study of slave patrols, see Sally E. Hadden, *Slave Patrols: Law and Violence in Virginia and the Carolinas* (Cambridge: Harvard University Press, 2001). For background on state militia, specifically their relationship to the federal government's National Guard with some key information about what these groups looked like, formed, and operated in the twentieth century, see Barry M. Stentiford, *The American Home Guard: The State Militia in the Twentieth Century* (College Station: Texas A&M University Press, 2002). And in addition to the various convict labor histories cited earlier, William Cohen's *At Freedom's Edge*, which predates the work of Douglas Blackmon, Alex Lichtenstein, Matthew Mancini, and David Oshinsky, outlines the laws that combined to create and perpetuate various convict labor systems from the beginning of the Civil War into the 1910s. See William Cohen, *At Freedom's Edge: Black Mobility and the Southern White Quest for Racial Control, 1861-1915* (Baton Rouge: Louisiana State University Press, 1991).

<sup>53</sup> Although their focus of study is more contemporary, Peter B. Kraska and Louis J. Cubellas provide a thorough and useful discussion of the nature of military-style approaches to policing in small towns and rural areas that resemble Muller's fictional jurisdiction. See Peter Kraska and Louis J. Cubellas, "Militarizing Mayberry and Beyond: Making Sense of American Paramilitary Policing," *Justice Quarterly*, vol. 14, no. 4 (December 1997): 607-629, accessed September 20, 2011, <http://www.heinonline.org>.

<sup>54</sup> Stentiford, 26.

<sup>55</sup> Quoted in Stentiford, 111.

<sup>56</sup> Hawkins and Thomas, 65.

<sup>57</sup> Stentiford, 30.

<sup>58</sup> Quoted in Cohen, 28.

<sup>59</sup> For specific details and a concise accounting of the construction of this legal framework, see Cohen, 28-29.

<sup>60</sup> Hawkins and Thomas, 68.

<sup>61</sup> It is highly unlikely that Kramer would have known this, and there are at least six towns called Pineville in the United States, almost all of them in the South as one can imagine. But it is a coincidence worth noting here that in Pineville, South Carolina, after Emancipation, freedmen acquired weapons and former slaves openly drilled and publicly displayed their weapons, significantly raising the concerns of local whites that contended with rumors about imminent "negro risings." Such displays of military readiness on the part of blacks would undoubtedly get squelched by the greater show of might and control on the part of whites looking to disarm blacks and control them with the aid of chain gang sentences for petty crimes, including carrying a firearm. Stefan B. Tahmassebi,

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“Gun Control and Racism,” *George Mason University Civil Rights Law Journal* 2, no. 1 (1991): 67-99, accessed September 20, 2011, <http://www.heinonline.org>.

<sup>62</sup> Hadden, 195.

<sup>63</sup> “Filming Locations for The Defiant Ones,” The Internet Movie Database, IMDb.com, Inc., 2011, accessed June 9, 2011, <http://www.imdb.com/title/tt0051525/locations>.

<sup>64</sup> For a comprehensive treatment of the initial stages and events of the Civil Rights Era as they pertain to the reading of this scene, Taylor Branch’s Pulitzer Prize-winning aptly named *Parting the Waters* offers foundational information and arguments. Taylor Branch, *Parting the Waters: America in the King Years, 1954-1963* (New York: Simon & Schuster, 1988).

<sup>65</sup> As outlined in the Introduction, this dissertation reads convict labor and chain gangs as a form of Jim Crow practice that draws on some of the same ideologies as Jim Crow and the violence of lynching, while taking a distinctly different approach to confronting the race problem in the South, specifically the problem it caused for white southerners in both the nineteenth and twentieth centuries who responded violently to threats to their power over political, economic, and social aspects of life in the region.

#### Chapter Four

<sup>1</sup> *O Brother, Where Art Thou?*, directed by Joel Coen and Ethan Coen (2000; Burbank, CA: Touchstone Home Video, 2001), DVD.

<sup>2</sup> Ryan P. Doom, *The Brothers Coen: Unique Characters of Violence* (Santa Barbara, Calif.: ABC-CLIO, 2009).

<sup>3</sup> *Sullivan's Travels*, directed by Preston Sturges (1941; Criterion Collection, 2001), DVD; *I Am a Fugitive from a Chain Gang*. Dir. LeRoy, Mervyn. Perfs. Paul Muni, Glenda Farrell, et al. Warner Home Video. 1932. 2005. 1 videodisc (92 min.); sd., b&w; 4 ¾ in. For a more complete discussion of the chain gang film, refer to Chapter Three of this dissertation.

<sup>4</sup> Erica Rowell, *The Brothers Grim: The Films of Ethan and Joel Coen* (Lanham, MD: The Scarecrow Press, Inc., 2007), 246.

<sup>5</sup> Everett has escaped from a chain gang working Mississippi’s infamous Parchman Farm with the help of two other convicts under the pretext that they are going to find \$1.2 million buried near Everett’s home place before the valley where it stands is flooded as part of a rural electrification project. Parchman Farm has figured in numerous films and works of literature, most famously *Cool Hand Luke* (1967). *Cool Hand Luke*, directed by Stuart Rosenbert, perf. Paul Newman (1967; Warner Video, 2008), DVD. For a highly accessible book-length history of the Mississippi State Penitentiary, see David M. Oshinsky, *Worse Than Slavery: Parchman Farm and the Ordeal of Jim Crow Justice* (New York: Simon & Schuster, 1996).

<sup>6</sup> Janice Siegel, “The Coens’ *O Brother, Where Art Thou?* and Homer’s *Odyssey*,” *Mouseion*, Series III, Vol. 7 (2007): 217.

<sup>7</sup> Shortly after the film’s release, Joel Coen told an interviewer from the *Nashville Scene*, “In our minds, it was presumably the movie [Sturges] would’ve made if he’d had the chance. The important movie. The one that takes on the big, important themes.” Sturges’s *O Brother, Where Art Thou?*—a socially-conscious film “with a little sex” that fictional director John L. Sullivan (Joel McCrea) is attempting to research and make in *Sullivan’s*

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*Travels*—gets its due in the Coens' pseudo-sequel. Jim Ridley, "Brothers in Arms," *Nashville Scene*, May 22, 2000, in *The Coen Brothers Interviews*, edited by William Rodney Allen (University Press of Mississippi, 2006), 136.

<sup>8</sup> Chris Vials, *Realism for the Masses: Aesthetics, Popular Front Pluralism, and U.S. Culture, 1935-1947* (Jackson: University Press of Mississippi, 2009), xiii.

<sup>9</sup> Rob Content, Tim Kreider, and Boyd White, "O Brother, Where Art Thou?," *Film Quarterly* 55, no. 1 (Fall 2001): 42.

<sup>10</sup> Rowell, 248.

<sup>11</sup> *Ibid.*, 246-247.

<sup>12</sup> Rowell, for example, has recently outlined how the ending of the film, which involves Everett and his ex-wife Penny leading their children along a dusty downtown southern road, depicts the little girls trailing along "tethered together like so many links in a chain ... depict[ing] interconnectedness." (246) She goes on to note how this final scene "bookends the opening chain-gang shots" but misses the potential for an historical argument by arguing that this pairing depicts an "interconnectedness" of culture, rather than a corresponding and re-circulating illustration of the relationship between the chain gang and the film's potentially rich southern historical lessons. And even in those moments when Rowell draws out the historical elements of the film, she falls short of directly correlating chain gangs and southern history.

<sup>13</sup> Benjamin Filene, *Romancing the Folk: Public Memory & American Roots Music* (Chapel Hill: University of North Carolina Press, 2000); Benjamin Filene, "O Brother, What Next?: Making Sense of the Folk Fad," *Southern Cultures* 10, no. 2 (Summer 2004): 50-69.

<sup>14</sup> At each prison they set up their equipment and recorded the convicts' singing on twelve-inch aluminum discs, which they later deposited at the Library of Congress in Washington." Filene contends that what he found when he dove into the Lomaxes' research archive "was remarkable not for its bizarre singularity but, rather, for its rich multiplicity." It turned out that the Lomaxes extraordinary undertaking was not extraordinary in the least and was merely a continuation of the work of a prior generation of folklorists and then, for their part, the Lomaxes "spawned dozens upon dozens of other field trips over succeeding decades, many of them led by the Lomaxes themselves." Ultimately, Filene discovered that these trips and the stories they uncovered helped piece together "a wide-ranging historical narrative of prime importance to twentieth-century American cultural history"—the story of the nation's "roots" music and its artists. Among the questions the Lomaxes and Filene himself were able to raise and partly answer is on that has proven central to this chapter and this dissertation: "[h]ow has race been constructed and how has it infused American popular culture?" Filene, 1-2; *The Alan Lomax Collection: Prison Songs, Historical Recordings from Parchman Farm 1947-1948, Volume 1: Murderous House*, Released August 5, 1997, Rounder, MP3 file, downloaded November 3, 2011, *iTunes*.

<sup>15</sup> Filene, 51.

<sup>16</sup> *Leadbelly*, dir. Gordon Parks (Brownstone Productions, 1976), Film; In addition to this earlier biopic, there is an independent filmmaker who has produced a documentary of Lead Belly that is in post-production. The makers of that film have raised about \$2,000 of their desired \$20,000 to pay for distribution. "Lead Belly: Life, Legend, Legacy!": A

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Music Documentary,” producer Alvin Singh (Midnight Special, LLC, 2012), accessed April 13, 2012, <http://www.indiegogo.com/leadbellyfilm>.

<sup>17</sup> Filene, 133-134.

<sup>18</sup> Sonnet H. Retman, *Real Folks: Race And Genre in The Great Depression* (Durham: Duke University Press Books, 2011), 1-2.

<sup>19</sup> Dewey W. Grantham, *Southern Progressivism: The Reconciliation of Progress and Tradition* (Knoxville: University of Tennessee Press, 1983).

<sup>20</sup> Paul K. Conkin, “The Formative Years: Intellectual and Political Roots,” in *TVA: Fifty Years of Grass-Roots Bureaucracy*, edited by Erwin C. Hargrove and Paul K. Conkin (Urbana; Chicago: University of Illinois Press, 1983), 9-13; Erwin C. Hargrove, *Prisoners of Myth: The Leadership of the Tennessee Valley Authority, 1933-1990* (Princeton, NJ: Princeton University Press, 1994), 19.

<sup>21</sup> “Victory Dams of the TVA,” *Popular Mechanics* 79.1 (January 1943), 50-55, accessed March 2, 2012, <http://books.google.com/> ...

<sup>22</sup> For thorough treatments of a variety of topics related to the TVA, see C. Herman Pritchett, *The Tennessee Valley Authority: A Study in Public Administration* (Chapel Hill: The University of North Carolina Press, 1943); Philip Selznick, *TVA and the Grass Roots: A Study in the Sociology of Formal Organization* (1949; New York: Harper-Torchbook, 1966); Thomas K. McCraw, *TVA and the Power Fight, 1933-1939* (New York: J.B. Lippincott Company, 1971); Michael J. McDonald and John Muldowny, *TVA and the Dispossessed: The Resettlement of Population in the Norris Dam Area* (Knoxville: The University of Tennessee Press, 1982); Erwin C. Hargrove and Paul K. Conkin, eds., *TVA: Fifty Years of Grass-Roots Bureaucracy* (Urbana; Chicago: University of Illinois Press, 1983); William Bruce Wheeler and Michael J. McDonald, *TVA and the Tellico Dam, 1936-1979: A Bureaucratic Crisis in Post-Industrial America* (Knoxville: The University of Tennessee Press, 1986); Erwin C. Hargrove, *Prisoners of Myth: The Leadership of the Tennessee Valley Authority, 1933-1990* (Princeton, NJ: Princeton University Press, 1994).

<sup>23</sup> Gerhard Peters and John Woolley, Franklin D. Roosevelt: “Executive Order 6252 on the Public Works Administration,” August 19, 1933, *The American Presidency Project*, accessed March 2, 2012, <http://www.presidency.ucsb.edu/ws/?pid=14505>.

<sup>24</sup> For focused and thorough treatments of controversial TVA projects, see McDonald and Muldowny’s *TVA and the Dispossessed* about the Norris Dam and Wheeler and McDonald’s *TVA and the Tellico Dam*.

<sup>25</sup> McDonald and Muldowny, 25.

<sup>26</sup> *Ibid.*, 26.

<sup>27</sup> Barrett Shelton, Memphis State Oral History Project, June 18, 1970, 9-10, quoted in Hargrove, *Prisoners of Myth*, 35-36.

<sup>28</sup> Edward Shapiro, “The Southern Agrarians and the Tennessee Valley Authority,” *American Quarterly*, Vol. 22, No. 4 (Winter, 1970): 791-806.

<sup>29</sup> Donald Davidson, *The Tennessee, Volume II: The New River, Civil War to TVA*, Rivers of America series, edited by Hervey Allen and Carl Carmer (New York; Toronto: Rinhart & Company, Inc., 1948), 251.

<sup>30</sup> *Ibid.*, 236-237.

<sup>31</sup> *Ibid.*, 237-238.

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- <sup>32</sup> Ibid., 255.
- <sup>33</sup> Shapiro, 798-801.
- <sup>34</sup> Chattanooga *Times*, Nov. 4, 1936, quoted in Shapiro, 802.
- <sup>35</sup> Hargrove, *Prisoners of Myth*, 19-21.
- <sup>36</sup> Ibid., 21.
- <sup>37</sup> Selznick; Hargrove, *Prisoners of Myth*, 7.
- <sup>38</sup> Selznick, 3.
- <sup>39</sup> Ibid., 5.
- <sup>40</sup> Hargrove, *Prisoners of Myth*, 19-20; McDonald and Muldowny, 3.
- <sup>41</sup> McDonald and Muldowny, 4.
- <sup>42</sup> Ibid., 4.
- <sup>43</sup> Ibid., 195.
- <sup>44</sup> Ibid., 266.
- <sup>45</sup> Ibid., 8.
- <sup>46</sup> For a lengthy and thorough treatment of the relationship between blacks and the TVA both related to the effect of TVA on black southerners and tenant farmers and the nature of race, hiring, and promotions within the TVA, see Nancy Grant, "Blacks, Regional Planning, and the TVA" (PhD diss., University of Chicago, 1978); Nancy L. Grant, *TVA and Black Americans: Planning for the Status Quo* (Philadelphia: Temple University Press, 1990).
- <sup>47</sup> Lester G. Seligman and Elmer E. Cornwell, Jr., eds., *The New Mosaic: President Roosevelt Confers with His National Emergency Council, 1933-1936*, meeting no. 19, Proceedings of the National Emergency Council, Dec. 11, 1934 (Eugene: University of Oregon Press, 1965), 368-369, quoted in McDonald and Muldowny, 263-264.
- <sup>48</sup> Gregory B. Field, "'Electricity for All': The Electric Home and Farm Authority and the Politics of Mass Consumption, 1932-1935," *The Business History Review*, vol. 64, no. 1, Government and Business (Spring, 1990): 33.
- <sup>49</sup> Hargrove, *Prisoners of Myth*, 45.
- <sup>50</sup> Field: 33.
- <sup>51</sup> Hugh Ruppensburg, "'Oh, so many startlements ...': History, Race, and Myth in *O Brother, Where Art Thou?*," *Southern Cultures* 9, no. 4 (Winter 2003): 23.
- <sup>52</sup> Ibid.: 24.
- <sup>53</sup> Retman points out the way the opening credits establish that the film should be viewed in a way similar to the way a book should be read, and she highlights the opening credits with their illustration of a hobo couple in the likeness of Sullivan (Joel McCrea) the Girl (Veronica Lake) towering over tiny similarly-attired hoboes who can be read as Lilliputians. Retman, 202.
- <sup>54</sup> Daryl Chin, "The Film That We Wanted to Live": Re-releasing Modernist Movies," *PAJ: A Journal of Performance and Art*, PAJ 69, vol. 23, no. 1 (September 2001): 1.
- <sup>55</sup> Chin: 68-69.
- <sup>56</sup> Douglas McGrath, "1940-1944: Preston Sturges," in *A New Literary History of America*, edited by Greil Marcus and Werner Sollors (Cambridge, MA: The Belknap Press of Harvard University Press), 743-744.

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<sup>57</sup> Douglas McGrath, "1940-1944: Preston Sturges," in *A New Literary History of America*, edited by Greil Marcus and Werner Sollors (Cambridge, MA: The Belknap Press of Harvard University Press, 2009), 745.

<sup>58</sup> After Sturges's run of critical and box office success in the early 1940s, he broke with Paramount Pictures and began to make independent films backed by Howard Hughes. Between 1945 and his death in 1959, Sturges would only make four more films and, as critic Terry Teachout recently argued, "none remotely comparable in quality to the ones that had made him famous. He died frustrated, obscure, and broke." Terry Teachout, "Whatever Happened to Preston Sturges?: Writer, Director, Burnout, Cynic," *Commentary* 128.5 (December 2009): 78.

<sup>59</sup> Although his films are commonly lumped in with screwball comedies, such as Capra's *It Happened One Night* and Howard Hawks's *Bringing Up Baby* (1938) and *His Girl Friday* (1940), as Terry Teachout argues, Sturges takes his films in a significantly different direction than these screwball comedies that tend to follow a formula in which "the humdrum life of one character (usually a man) is willfully disrupted by the anarchic behavior of another character (usually a woman)." Terry Teachout, "Whatever Happened to Preston Sturges?: Writer, Director, Burnout, Cynic," *Commentary* 128.5 (December 2009): 78.

<sup>60</sup> Retman, 18.

<sup>61</sup> At various points in her work, Retman acknowledges her debts to Michael Denning on the Popular Front, and I would echo this consideration. Michael Denning, *The Cultural Front: The Laboring of American Culture in the Twentieth Century* (London; New York: Verso, 1998).

<sup>62</sup> Retman, 14.

<sup>63</sup> "The Chain Gang," directed by Ub Iwerks, in *Walt Disney Treasures: Mickey Mouse in Black and White* (1930; Walt Disney Video, 2002), DVD; *Hell's Highway*, directed by Rowland Brown (RKO Radio Pictures, 1932); *Laughter in Hell*, directed by Edward L. Cahn (Universal Pictures, 1933); *Road Gang*, directed by Louis King (Warner Bros., 1936); *Blackmail*, directed by H.C. Potter (Loew's and MGM, 1939); *Dust Be My Destiny*, directed by Lewis Seiler (Warner Bros., 1939).

<sup>64</sup> During his gubernatorial race O'Daniel advocated for tax cuts and industrialization—a turn toward modernity. In the end, the real-life Pappy O'Daniel failed to understand basic political deal making, but, according to one accounting, he "was able to largely negate his ignorance, his isolation, and his political handicaps with masterful radio showmanship." George N. Green, "O'Daniel, Wilbert Lee [Pappy]," *Handbook of Texas Online*, accessed 30 January 2012, <http://www.tshaonline.org/handbook/online/articles/fod11>.

<sup>65</sup> As music producer T Bone Burnett recently explained, this central aim found itself recapitulated by the marketing strategy accompanying *O Brother* as well. Speaking on NPR's "All Songs Considered" after the release of the 10<sup>th</sup> anniversary Deluxe Edition of the film's Grammy-winning soundtrack, Burnett told Bob Boilen about how the soundtrack came to be such an integral part of the Coens' film: "We had just finished *The Big Lebowski*, I think, when Ethan (Coen) called up and said, 'How would you like to make a movie about the history of American music?'" Burnett goes on to suggest that the musical period captured in the film represent the most important moment in music history. An overstatement perhaps but at the very least, as Burnett points out, "America



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began to record itself in the 1930s.” And as he tells Boilen, “[W]e hear the true voices of this country coming to us from those recordings.” The film certainly lives and dies by the popular revival of this music that resulted in the sale of more than 9 million albums and garnered sufficient interest to warrant a separate documentary film and concert and an updated re-release a decade later. Bob Boilen, “T-Bone Burnett on 10 Years of *O Brother, Where Art Thou?*,” “All Songs Considered,” NPR, August 23, 2011, accessed February 26, 2012, <http://www.npr.org/2011/08/23/139880668/> ...

<sup>66</sup> Other minor characters and sideshows swirling in the Coens’ farcical film universe include a putative political reformer who turns out to be the local Grand Wizard of the Ku Klux Klan, the aforementioned Johnson, who explains to the film’s three fugitives that he swapped his soul with the devil at a crossroads since he “wasn’t usin’ it” in exchange for the ability to play “this here gi’tar real good,” and even 1930s gangster George “Baby Face” Nelson. In one scene, Nelson takes a break from machine gunning the “salaried sons o’ bitches” chasing him to spray a cow with a Tommy gun, prompting the down-home Delmar (Tim Blake Nelson) to drawl: “Oh George, not the livestock.” These are the elements that lead Hugh Ruppersburg to argue that the Coens’ film is “intentionally reckless in its treatment of southern and American popular culture, its use of fact, its invention and reinvention of myth, its fabrication of falsehoods, all of which are woven together into the fabric the film presents as reality. In essence, the film creates its own myth of the American South in the 1920s and 1930s. Ruppersburg: 16.

<sup>67</sup> For the canonical treatment of the roots of violence in the southern criminal justice system and the region more generally, see Edward L. Ayers, *Vengeance and Justice: Crime and Punishment in the 19<sup>th</sup>-Century American South* (Oxford: Oxford UP, 1984).

<sup>68</sup> Leigh Anne Duck, “Bodies and Expectations: Chain Gang Discipline,” in *American Cinema and the Southern Imaginary*, edited by Deborah E. Barker and Kathryn McKee (Athens: University of Georgia Press, 2011), 79.

<sup>69</sup> Doom, 98.

<sup>70</sup> Peter Caster, *Prisons, Race, and Masculinity in Twentieth Century U.S. Literature and Film* (Columbus: Ohio State University Press, 2008), 49-50.

<sup>71</sup> For a discussion about the directorial decision and the cinematic challenges of turning the lush green locations of rural Mississippi into a yellow or “sepia-toned” landscape, see Ronald Bergan, “On the Run with Joel and Ethan: Ronald Bergan went on location with the Coens for the their latest movie, *O Brother, Where Art Thou?* This is what happened in the sweltering Delta,” *The Guardian*, August 15, 2000, accessed April 13, 2012, <http://www.guardian.co.uk/culture/2000/aug/14/artsfeatures.coenbrothers>.

<sup>72</sup> For additional production-related information related to the hand car and other train scene in *O Brother*, see “O Brother Where Art Thou?,” *The Train Source, Inc.*, Movie-trains.com, accessed March 9, 2012, <http://www.movie-trains.com/obrother.html>.

## Epilogue

<sup>1</sup> A great deal of work in sociology and criminology has been done on the prison-industrial complex and black criminality in recent years. Even though I have already cited these works earlier, I would like to conclude by reiterating the relevance of the contributions of Ruth Wilson Gilmore and Angela Y. Davis. See Ruth Wilson Gilmore *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California*

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(Berkeley: U of Cal P, 2007); Angela Y. Davis, *Are Prisons Obsolete?* (New York: Seven Stories Press, 2003).

<sup>2</sup> Adam Cohen, "Dispatches: Back on the Chain Gang," *Time* 145:20, 15 May 1995, 26, accessed 2 November 2011, Business Source Complete (AN 9505107640).

<sup>3</sup> Arpaio timed a press release on 30 January 2008 ahead of the February 2 game that resulted in national coverage. See "News Release: DUI Chain Gang – Super Bowl", *Maricopa County Sheriff's Office*, 30 Jan. 2008, Maricopa County Sheriff's Office, 2 June 2008 <[http://www.mcso.org/index.php?a=GetModule&mn=Special\\_Announce](http://www.mcso.org/index.php?a=GetModule&mn=Special_Announce)>. For Bristol County (Mass.) Sheriff Thomas Hodgson's "tandem work crews", see Chiu, Alexis, "Even Massachusetts Turns Back Clock to Chain Gangs", *The Associated Press and Local Wire*, June 17, 1999, Thursday, PM cycle, 2 June 2008, <[www.lexisnexis.com/](http://www.lexisnexis.com/)>. For settlement of Alabama's chain gang case, see Pearson, Michael, "Settlement Ends Alabama Chain Gangs", *Associated Press*, June 21, 1996, Friday, PM cycle, 2 June 2008 <[www.lexisnexis.com/](http://www.lexisnexis.com/)>.

<sup>4</sup> I offer this tentative conclusion about the quality of the film based on a survey of nearly 5,000 visitors to the film's site in the Internet Movie Database (IMDb.com) that have it scoring an even 5.0 out of 10.0 stars and trending downward at this time. "Plot Summary for Fled," *The Internet Movie Database (IMDb)*, IMDb.com, 1990-2012, accessed March 12, 2012, <http://www.imdb.com/title/tt0116320/plotsummary>.

<sup>5</sup> I will forego a discussion of *The Farm* but for a thorough treatment of the film, see Peter Caster, *Prisons, Race, and Masculinity in Twentieth-Century U.S. Literature and Film* (Columbus: The Ohio State University Press, 2008), 151-172.

<sup>6</sup> *American Chain Gang*, DVD, directed by Xackery Irving (1998; Sherman Oaks, California: Chain Gang Pictures, 2005.)

<sup>7</sup> Recent Yale American studies graduate Sarah Haley has written a dissertation that looks at women who were in Georgia's convict labor system. Specifically, Haley looks at the differences in representations and experiences between black and white women who found themselves in the Georgia penal system. I wish to thank Crystal Feimster for letting me know about Haley's work during a visit to Boston College in the spring of 2010. See Sarah Haley, "Engendering Captivity: Black Women and Convict Labor in Georgia, 1865-1938" (PhD diss., Yale University, 2010).

<sup>8</sup> For a statistical analysis of the emergence and nature of incarceration among black men born in the late '60s, see Becky Pettit and Bruce Western, "Mass Imprisonment and the Life Course: Race and Class Inequality in U.S. Incarceration," *American Sociological Review*, vol. 69, no. 2 (April, 2004), pp. 151-169. For a compelling discussion of the "conditions of possibility" that brought about California's massive prison system as well as some useful background on incarceration rates in the United States, see Ruth Wilson Gilmore's *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California* (Berkeley: U of Cal P, 2007). For a discussion of differential punishment that suggests that sentences are harsher in crack cocaine arrests than in pure cocaine arrests because black people get arrested for crack and white people get arrested for powder, see Alexander, Rudolph, Jr. and Jacquelyn Gyamerah, "Differential Punishing of African Americans and Whites Who Possess Drugs: A Just Policy or a Continuation of the Past?" *Journal of Black Studies* 28, no. 1 (September, 1997), pp. 97-111.